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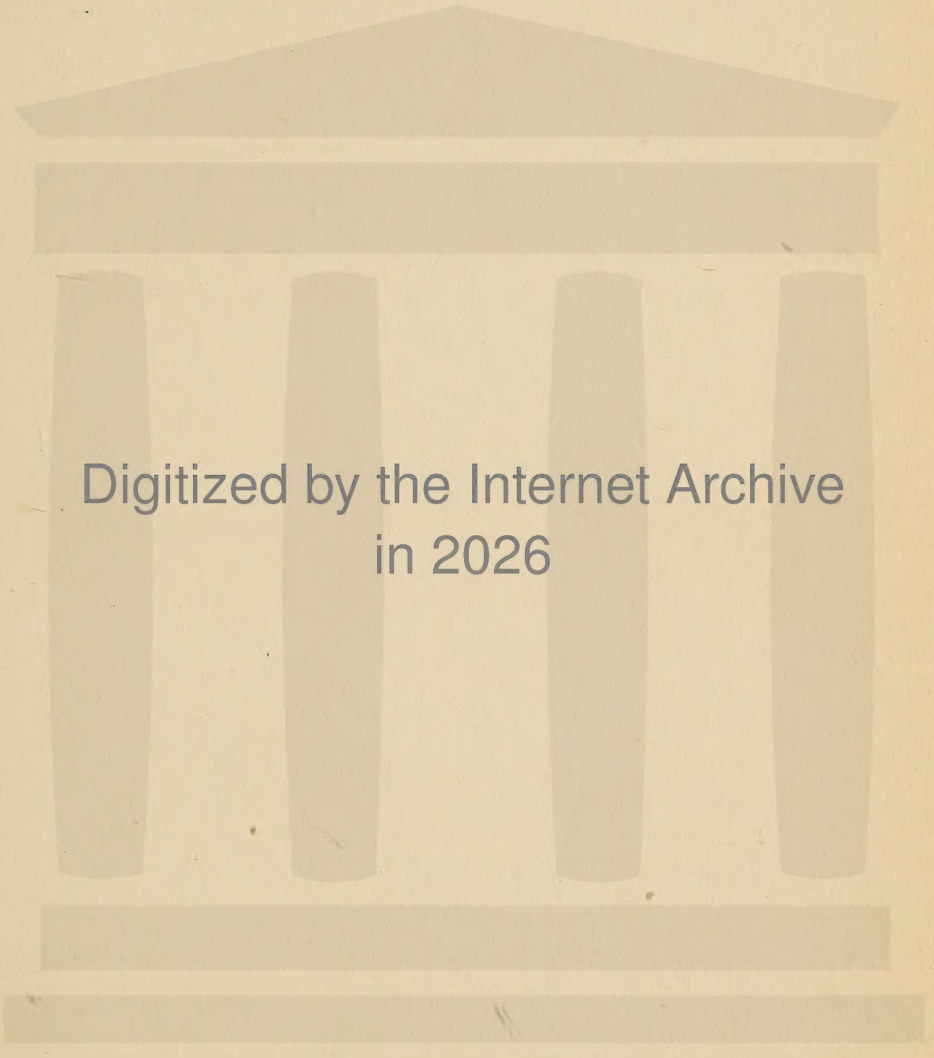
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REPORT

FROM THE

COMMISSIONERS

ON

The Cold Bath Fields Priſon.

(Dated 1ſt Auguſt 1808.)

Ordered, by The Houſe of Commons, *to be printed,*
19*th May* 1809.

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LETTER from the Right Honourable The Earl of Liverpool, His Majeſty's Principal Secretary of State for the Home Department, to William Mainwaring, Eſq. chairman, and the Magiſtrates of the county of Middleſex; dated, Whitehall, 26th April 1809 - - p. 43.

REPORT from The COMMISSIONERS appointed, by Commiſſion under the Great Seal, to enquire into the State and Management of His Majeſty's Priſon, called The Houſe of Correction in Cold Bath Fields, Clerkenwell.

Dated the firſt day of Auguſt one thouſand eight hundred and eight.

To the KING's Most Excellent MAJESTY.

MAY IT PLEASE YOUR MAJESTY,

IN obedience to Your MAJESTY's commiſſion under the great ſeal of that part of the United Kingdom called Great Britain, bearing date the ſeventh day of May in the forty-eighth year of Your Majeſty's reign; whereby, after ſtating that the Knights, Citizens and Burgeſſes and Commiſſioners of Shires and Boroughs in Your Majeſty's Parliament of Great Britain had, in the thirty-ninth year of Your Majeſty's reign, preſented an humble addreſs, praying that Your Majeſty would be graciouſly pleaſed to give directions that an enquiry ſhould be made into the ſtate and management of Your Majeſty's priſon called *The Houſe of Correction for the County of Middleſex*, ſituate in Cold Bath Fields; and that Your Majeſty by Your royal commiſſion under Your great ſeal, bearing date the 2nd of September in the fortieth year of Your reign, did authorize and appoint certain Commiſſioners therein named to make a diligent and ſtrict enquiry into the matters repreſented in the ſaid addreſs of your faithful Commons, and to propoſe to Your Majeſty by what lawful ways and means any abuſes or miſmanagement in the premiſes might be reformed, and what remedies might be properly applied thereto, and what regulations or proviſions might be neceſſary or proper for the better management of the ſaid priſon, and of the perſons confined therein, and for the prevention of abuſes therein in future; and that the Commiſſioners named in the ſaid royal commiſſion made their Report to Your Majeſty purſuant thereto, bearing date the firſt day of November in the forty-firſt year of Your Majeſty's reign; and further ſtating, that a petition had lately been preſented to the Knights, Burgeſſes and Commiſſioners of Shires and Boroughs in Your Majeſty's United Parliament of Great Britain and Ireland then aſſembled, repreſenting to Your Majeſty's faithful Commons that certain abuſes and miſmanagement ſtill exiſted in the ſaid priſon; Your Majeſty was pleaſed to authorize and appoint us, *William Morton Pitt*, *Charles Shaw Lefevre*, *John Fane*, *Richard Elliſon*, and *Thomas Sherlock Gooch*, eſqrs. and *John Springett Harvey*, maſter in chancery, or any three or more of us, to be Commiſſioners to make diligent, particular and ſtrict enquiry into the matter repreſented in the ſaid petition, and into the conduct of all perſons concerned in the goverment or management of Your Majeſty's ſaid priſon, and to report to Your Majeſty whether any and which of the abuſes complained of therein do exiſt, and what are the remedies for correcting the ſame, and the regulations or proviſions neceſſary to be adopted for the prevention of like abuſes in future; and alſo to enquire and report to Your Majeſty whether any and what remedies, regulations or proviſions have been applied or adopted for the better management or government of Your Majeſty's ſaid priſon ſince the making of the ſaid Report; and further to enquire and report to Your Majeſty whether the duties of viſiting magiſtrates, as directed by an Act paſſed in the thirty-firſt year of Your Majeſty's reign, intituled, "An Act for the better Regulation of Gaols and other Places of Confinement," have been ſubſtantially executed in regard to Your Majeſty's ſaid priſon, by the committee of magiſtrates mentioned in the ſaid Report to have been nominated to inſpect the general concerns of the priſons belonging to Your Majeſty's ſaid county of Middleſex, and whether ſuch viſiting magiſtrates ought not to be appointed; and upon due examination of the premiſes, to reduce the ſame into writing under our hands and ſeals, or the hands and ſeals of any three or more of us, and to propoſe what remedies, regulations or proviſions might be neceſſary or proper, in addition to ſuch (if any) as may have been

been adopted ſince the making of the ſaid Report, for the better management of the ſaid priſon and of the perſons confined therein, and for the prevention of abuſes therein in future; and for the purpoſes aforeſaid, Your Majeſty did give and grant to us Your Majeſty's Commiſſioners, or any three or more of us, full power and authority to cauſe all and every the gaolers, keepers and other officers and attendants of or belonging to or in anywiſe employed in and about the ſaid priſon, to bring and produce upon oath before us, or any three or more of us, all and ſingular records, regulations, documents, books and papers or other writings belonging or appertaining to the conduct, management or treatment of the ſaid priſon, and priſoners confined therein, which ſhould be in the cuſtody of them or any of them reſpectively: and alſo to ſummon before us and examine upon oath (which oath Your Majeſty did thereby authorize us, or any three or more of us, to adminiſter) all and every perſon and perſons who could give evidence upon all or any of the matters therein referred to us.—And it was declared to be Your Majeſty's further will and pleaſure, that we, or any three or more of us, ſhould, on or before the firſt day of Auguſt in the preſent year, report to Your Majeſty under our hands and ſeals reſpectively, our proceedings had by virtue of the ſaid preſents, together with ſuch other matters (if any) as might be deſerving of Your Majeſty's royal conſideration concerning the premiſes, and what further meaſures (if any) we ſhould think fit to propoſe thereon:—

WE beg leave humbly to repreſent to Your Majeſty, that the right hon. lord Hawkeſbury, one of Your Majeſty's principal ſecretaries of ſtate, in a letter dated the 11th May 1808, informed us, that by Your Majeſty's command he tranſmitted to us the ſaid commiſſion appointing us Commiſſioners. His lordſhip alſo ſent us a copy of the ſaid petition preſented to the Commons of Great Britain and Ireland in the United Parliament aſſembled, together with a printed copy of the Report made by the Commiſſioners in the year 1800.—IN conſequence of Your Majeſty's pleaſure thus ſignified to us, We met on the 19th day of the ſaid month of May, in the committee room within Your Majeſty's ſaid priſon in Cold Bath Fields, and opened and read Your Majeſty's ſaid commiſſion. We then proceeded to read the petition to the Houſe of Commons, and the Report made in the year 1800, referred to in the ſaid commiſſion.

The petition is intituled, "The petition of Alexander Stephens, of Parkhouſe in the county of Middleſex, and alſo of the honourable ſociety of the Middle Temple, eſq." and it ſtates, That he, together with certain perſons then lately ſerving the office of grand jurymen for the county of Middleſex, to the number of about nine, viſited the houſe of correction for the ſaid county, commonly called "The Cold Bath Fields Priſon," on Tueſday November the 3d 1807, between the hours of eleven and twelve in the forenoon. The petition contains eight ſpecific ſubjects of complaint, and the petitioner then ſtates, that "concerning ſuch groſs inſtances of fraud, coupled with ſuch an open "violation of the laws, and alſo of the expreſs orders of ſeſſions, are calcu-"lated to bring Your Majeſty's government into contempt, and caſt an un-"merited odium on our moſt excellent conſtitution, thinking alſo that if ſuch "mal-practices were detected in a caſual and ſlight ſurvey of leſs than two hours "duration, far greater abuſes are likely to be brought to light by the interven-"tion of the grand inqueſt of the nation," he moſt humbly and earneſtly ſolicits the Houſe of Commons "to take the premiſes into conſideration, and by a "public and open examination at its bar, or any other mode, afford ſuch relief "as may ſeem meet."

Upon an attentive peruſal of Your Majeſty's commiſſion, it appeared to us to be Your Majeſty's pleaſure, that in making our enquiry into the matters repreſented in the ſaid petition, we ſhould firſt aſcertain whether the matters ſtated in the ſaid petition and complained of as abuſes, were true in fact; and if found to be true, then that we ſhould conſider whether they were abuſes originating with or imputable to the conduct of the perſons concerned in the government or management of the ſaid priſon; and that we ſhould ſtate to Your Majeſty what appear to us to be the remedies for correcting the ſame, and the regulations or proviſions neceſſary to be adopted for the prevention of like abuſes in future.

Conceiving that the beſt information, as to ſome of the matters ſtated in the petition of Mr. Stephens, would be obtained by our own view, we proceeded

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at our firſt meeting, and without giving any previous notice to the governor, or any perſon employed under him, to ſurvey the priſon. We inſpected all the yards and day-rooms appropriated to the priſoners, and particularly examined ſeveral of the cells belonging to each claſs of priſoners; and we are ſatisfied not merely from the aſſertion of the officers and turnkeys, who attended us in our ſurvey, but alſo from plans of the priſon (engraven by order of the committee of magiſtrates) with which we were furniſhed, that we ſaw every part of the priſon—ſuch information obtained from this ſurvey, as applies to the eight ſubjects of complaint ſtated in the petition of Mr. Stephens, we propoſe to notice in the ſeveral parts of our Report, which particularly relate to thoſe ſubjects; but we think it proper in this place to obſerve, that the general appearance of the priſon and the priſoners confined in it, as well males as females, was ſatisfactory, and Mr. Stephens himſelf, on his ſurvey of the priſon on the 3rd of November 1807, was ſo well ſatisfied with the general ſtate of the priſon and the priſoners, that he deſired, in addition to the evidence he gave before us on the ſubjects of his petition, to ſay, that there was a general appearance of cleanlineſs in the priſon, and that the ſtate of the felons, ſo far as he could diſcern from a ſlight ſurvey, was comparatively comfortable. Mr. Francis Drummond, one of the grand jury who ſurveyed the priſon with Mr. Stephens, deſired to add to his evidence, that, excluſive of the particulars he had mentioned, he found the priſon remarkably clean, neat, and in exceeding good order in every part he ſaw, and that every comfort was adminiſtered to the feelings of the priſoners which the nature of their ſituation would admit. Mr. Thomas Catherwood, another of the grand jury who attended the ſurvey, alſo bore teſtimony to the cleanlineſs and good order of the priſon; he ſtated, that he found it much ſuperior to any priſon he had ſeen before, that the priſoners ſeemed healthy, and he did not hear any complaints made by them, though from the queſtions put to them by Mr. Stephens they had great opportunity of doing ſo; and ſir Richard Phillips, late one of the ſheriffs of London and Middleſex, concludes his evidence by ſaying, that in regard to the internal condition of the priſon, he bears willing teſtimony that nothing can be cleaner and apparently in better general order, ſo far as meets the eye upon a view of it.

We obſerved, on reading the petition of Mr. Stephens, that it is ſtated in the fifth ſection, that he was told by one of the gaolers that a foreigner of ſome rank had been deprived of his reaſon, while immured in one of the lonely cells of the priſon. We therefore on our ſurvey made particular enquiry reſpecting this foreigner, (whoſe name is Charles de Blin) the part of the priſon in which he was confined, and the manner in which he had been treated; we ſaw him, and ſome of us converſed with him. The particular circumſtances relating to him, will come more regularly under conſideration in that part of our Report, which relates to the fifth ſection of the petition; in this place we propoſe only to ſtate to Your Majeſty, that from the converſation and behaviour of the Chevalier de Blin in our preſence, and the information we obtained from the examination of Dr. Thomas Monro, Mr. Thomas Webbe the ſurgeon to the priſon, Mr. Thomas Aris the governor, and other officers of the priſon, and Thereſe Francis de Blin, the wife of this foreigner, we were of opinion that his mind was in ſome degree deranged; and his inſanity appearing to have ariſen during his confinement, we thought his removal from the priſon to ſome place appropriated for the reception and care of inſane perſons, might be beneficial to him; and with this view we verbally communicated our opinion to lord Hawkeſbury, one of Your Majeſty's principal ſecretaries of ſtate, by whoſe warrant the Chevalier de Blin was committed to the ſaid priſon; and ſoon afterwards, when an opportunity offered of placing him in St. Luke's hoſpital, he was diſcharged from the priſon by warrant or order of his lordſhip, and removed to that hoſpital.

We have proceeded to examine witneſſes upon the ſeveral ſubjects of complaint ſtated in the petition of Mr. Stephens; copies of their depoſitions are inſerted in the Appendix annexed to this our Report.

Mr. Stephens having ſtated in the introductory part of his petition, that he, "together with certain other perſons lately ſerving the office of grand "jurymen for the county of Middleſex, to the number of about nine," viſited this priſon on Tueſday the 3rd November 1807, between the hours of eleven and twelve in the forenoon. We have examined ſeven of the grand

jurymen, being all whoſe names have been mentioned to us, viz. Alexander Stephens, eſq. (the petitioner to the Houſe of Commons) Joſeph Cuff of Whitechapel; Thomas Catherwood of Hoxton; Francis Drummond of Sloane-ſtreet, Chelſea; William Edis of Charles-ſtreet, Queen Elms, Chelſea; Robert Grant of Hans-ſquare, Chelſea; and Thomas Holmes of Sloane-ſtreet, Chelſea; eſqrs. It appears by the evidence of Mr. Drummond (who in the abſence of Mr. Cuff was the acting foreman of the grand jury at the cloſe of the ſeſſions,) that this ſurvey was made by leave of the Court, and that the grand jury, in conſequence of this leave being obtained previous to their diſcharge, (which was in the evening of the 2d November 1807) conſidered themſelves as a grand jury for this purpoſe, and ſurveyed the priſon in that character. Mr. Thomas Aris the governor, being abſent from the priſon on the buſineſs of his office at the time the grand jurymen came there, they were attended in their ſurvey by Thomas Amos, who holds the two offices of ſtorekeeper and taſkmaſter, and the proper turnkeys. When ſeveral perſons are called upon ſeparately to give a narrative of the ſame tranſaction, they generally differ in ſome particulars, and there was the more reaſon in this caſe to expect ſome difference in the evidence of the grand jurymen, as we found from the examinations of Mr. Stephens, Mr. Cuff, and Mr. Alexander Ramſay Robinſon, one of the grand jury (but who did not attend the ſurvey of the priſon) that the grand jury had differed upon ſome points, which aroſe in the execution of their office, and had been induced to change their foreman, and appoint Mr. Cuff to that ſituation in the place of Mr. Stephens, originally elected foreman.

It is ſtated in the firſt ſection of Mr. Stephens's petition, That he and the other grand jurymen who ſurveyed the priſon, diſcovered that all the loaves found by them were greatly deficient in point of quantity, and in proof of it, he refers to a ſtatement made by one of the magiſtrates of the city of London; which ſtatement is contained in a letter from ſir Richard Phillips, then one of the ſheriffs of London and Middleſex, to William Mainwaring, eſq. dated 13th November, 1807.

There is conſiderable contrariety in the evidence relative to the ſubject of this ſection; but upon comparing and conſidering all the evidence, the caſe appears to be this:—That on the 3rd November 1807, two loaves of bread, which had been delivered by the baker and diſtributed to the two cooks (who were priſoners) were weighed by Mr. Stephens in the ſcales belonging to the kitchen of the priſon, in the preſence of ſeveral others of the grand jury, and that both theſe loaves were deficient in weight. The witneſſes differ as to the extent of the deficiency. Sir Richard Phillips, in his letter to Mr. Mainwaring, which he ſays was written from a memorandum of the weight of the loaves made at the time they were weighed at Guildhall, ſtates the deficiency in the weight of each loaf to be from an ounce and an half to two ounces. Mr. Drummond ſays one loaf was deficient nearly two ounces, though on weighing the loaves together the deficiency was ſmall. Mr. Cuff ſays the deficiency was ſeven-eights of an ounce. Mr. Catherwood and Mr. Holmes ſpeak of a deficiency of about three quarters of an ounce in one of the loaves. A third loaf produced by Edward Ruſſell the gatekeeper, (who has the care of the bread) but which had not been delivered to any priſoner, was alſo taken to Guildhall. Whether that loaf was deficient in weight is doubtful, but we conſider it to be clearly aſcertained that two loaves were deficient in weight, and we have no doubt that every day there is a material inequality in the weight of the loaves, ſeveral of them weighing an ounce and ſome few nearly two ounces leſs than a pound, and others as much exceeding a pound in weight. The better to aſcertain the proportion which the loaves over-weight, weight, and under-weight, bear to each other, on the 21ſt day of June 1808, we directed all the loaves delivered that day to be weighed ſeparately; the number was three hundred and ſix, the groſs weight of which when delivered was three hundred and fourteen pounds, being eight pounds over weight, and when ſeparately weighed at an early hour the next morning, one hundred and forty-two of them were over-weight, and eighty-five were weight, and ſeventy-nine were under-weight. We examined John Marth, the baker who ſupplies the bread, and alſo James Johnſton and Robert Forteſcue, two bakers who have been in the trade for many years, and they concur in opinion, that this inequality in the weight of the loaves cannot be wholly prevented.

We

We find that John Marſh, the baker, is in the habit of weighing the dough for two loaves together, and then dividing it by hand, which is more expeditious, and is conſidered by him to be as certain a method of procuring the loaves to be of equal weight as weighing the dough ſeparately; but from the evidence of Mr. Johnſton and Mr. Forteſcue, we think the dough for each loaf ought to be weighed ſeparately, which may in ſome degree rectify the inequality, but not wholly; for we find, that quantities of dough equal in weight, when put into the oven, will, on account of the different degrees of heat they meet with, differ in weight when taken out, and in dividing the loaves from each other when baked, part of one loaf will adhere to another. From this information we are of opinion, that the inequality in the weight of the loaves ariſes from the nature of the thing, and is not imputable to the conduct of any perſon concerned in the government or management of the priſon. But from what cauſe ſoever it ariſes, it is equally prejudicial to thoſe priſoners to whom the loaves deficient in weight are delivered, if they are entitled to have loaves of the full weight of ſixteen ounces. Their weight is founded on the rules numbers 8 and 32, for the management of this priſon, approved and confirmed by the juſtices at the Michaelmas quarter ſeſſion 1794.

By the 8th rule, the priſon allowance of bread is to be "one pound per day;" and by the 32d rule, the daily allowance of bread is to be delivered to every priſoner "in a ſeparate loaf of the exact weight allowed and directed by N° 8." It is probable, that if the juſtices who made theſe rules had been aware that it was impracticable to make a conſiderable number of loaves (between 200 and 300 daily) of the exact weight of one pound when baked and ſeparated from each other, they would have ſo qualified the terms of theſe rules, as to make a ſmall deviation (whether more or leſs) from the exact weight of one pound no infringement of them. We conceive that ſuch a deviation is not contrary to the ſpirit and meaning of them, provided a proper limit to the exceſs or deficiency in weight of each loaf is ſpecified; to the exceſs, for the ſake of the county at whoſe expence the bread is purchaſed; and to the deficiency, for the ſake of the priſoners. We find by the evidence of Robert Forteſcue, that quartern loaves (the legal weight of which is four pounds five ounces and eight drams) when baked, will vary two or three ounces from each other, and therefore we think that the loaves ſhould be weighed ſeparately when they are delivered into the priſon (which we know from experiment may be done in about fifteen minutes) and that all ſuch as weigh leſs than fifteen ounces or more than ſeventeen ounces, ſhould be returned to the baker, and that he ſhould be bound by his contract to take them back and ſupply others between thoſe weights. The loſs in weight between the time the loaves are brought to the priſon, which is about three o'clock every afternoon, and the time they are delivered to the priſoners, which is between ſeven and eight the next morning, would be trifling, as we have aſcertained by actual trial of one of the priſon loaves: this loaf, placed by itſelf, loſt in 24 hours only a quarter of an ounce of its original weight; and loaves, when many are put together, will not loſe ſo much weight, becauſe they are leſs expoſed to the air. It appearing from an inſpection of the book in which the weight of the bread is entered daily, that for ſeveral years the whole weight of the bread delivered each day, is more than equal to a pound for each loaf, as was the caſe of the delivery of the bread for the 3d November 1807, when the number of loaves was two hundred and ſeventy-nine, and the whole weight thereof was two hundred and eighty-two pounds, and the priſoners therefore having the full weight of bread diſtributed amongſt them, we conſidered whether it might not be expedient that the proper officer ſhould be ordered to weigh the loaves ſeparately, and divide them into three ſorts, namely, overweight, weight, and underweight, and diſtribute the loaves ſo aſſorted amongſt the different claſſes of the priſoners in rotation; but on further conſideration, we ſee a material objection to this plan, namely, that whenever the number of loaves of any ſort is not equal to the number of priſoners in the claſs whoſe turn it is to have that ſort of loaves (which muſt frequently if not daily happen) in order to make the rotation fair and equal, an account muſt be kept of the particular priſoners in the claſs who do not receive loaves of the ſame weight as ſuch claſs of priſoners in general receive, which would be difficult and troubleſome, open to favour and partiality, and, though executed with fidelity, might occaſion

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murmur and diſcontent among the priſoners. We have therefore conſidered what other plan can be adopted to remedy this inequality of weight in the loaves, ſuppoſing that it ſhould be thought right to adhere to the letter of the 32d rule, and to deliver to every priſoner daily a loaf weighing *not leſs* than one pound (for it has been proved to us that it is impoſſible to have the loaves of that exact weight) we think this may be done in two ways; either by ordering the baker to make the loaves half an ounce heavier (which he would do by adding ſomething to the quantity of dough now appropriated for each loaf) or by ordering ſuch loaves as are under the weight of one pound to be marked, and to give a ſmall additional ſlice of bread with each loaf found to be under-weight. There ſeems to be no material objection to either of theſe plans, except the increaſe of expence to the county; no objection would be made by the baker, becauſe he is paid according to the weight of the whole bread delivered each day; and there could be no ground for complaint on the part of the priſoners, as each of them would have a loaf of the full weight of ſixteen ounces, or a ſlice of bread equal to the deficiency of this loaf. The county has for ſeveral years paid for a greater weight of bread than the loaves delivered, if of the exact weight of one pound each, would have produced; it appearing by the examination of the bread book kept at the priſon, that the *ſurplus* weight of bread from January 1801 to the 31ſt May 1808, allowing one pound for each loaf, is two thouſand four hundred and forty-three pounds.

In the 2d ſection of Mr. Stephens's petition it is ſtated, that the priſon weight demanded and uſed on that occaſion for trying the loaves, proved deficient. We are of opinion, the evidence on this ſubject has clearly proved that the weight referred to was not a priſon weight. It was on the kitchen table with other larger weights, at the time Mr. Stephens deſired to have the uſe of it; and that circumſtance might induce him to ſuppoſe it was a weight in general uſe, but the fact is, that it never was uſed for weighing any proviſion delivered to the priſoners, and ſo he was told by Mr. Aris the governor, and Amos the ſtorekeeper. Samuel Aris, clerk and book-keeper of the priſon, repeated the ſame information to Mr. ſheriff Phillips at Guildhall. Indeed, a pound weight could not be uſed in the kitchen for that purpoſe, if the cooks did their duty, as nothing is weighed in the kitchen ſcales but the meat, and each priſoner has a ſeparate allowance of half a pound, if delivered undreſſed, and ſix ounces if dreſſed. We examined William Baſtin and Robert Preſcott, the two cooks (priſoners under ſentence for aſſaulting a revenue officer on duty) and they both ſtate, that the only weights uſed in the kitchen are a half pound, a four ounce, and a two ounce weight; and Baſtin adds, on being aſked by one of the gentlemen whether they uſed the weight in queſtion, he ſaid, they never uſed it, This weight was certainly deficient, and being ſo, and being found on the kitchen table, though not uſed for any purpoſe relating to the priſoners, we thought it right to make further enquiry reſpecting it. The cooks ſtated, that it had been there ever ſince they were employed in the kitchen (which was then about 22 months) and that they had uſed it with other weights for weighing potatoes, which they were allowed to purchaſe; and Thomas Aris the governor ſaid in his examination, that it was taken from one of the mutineers on a general ſearch of the cells being made in December 1800. That he gave it to Ballard the then cook, but ſince dead, with directions to take care of it, and that he never tried it. Upon this ſection our opinion is, that no uſe has been made of this weight to the prejudice of the priſoners, and that it was not put into the kitchen with any intent to uſe it; but we think the governor ought to have returned it to the mutineer from whom it was taken on his leaving the priſon, or if it were an article improper to be returned, that the governor ought to have deſtroyed it; and that no weight that is deficient ſhould be permitted to be uſed in the priſon for any purpoſe, or to remain in the power of any of the officers or ſervants.

In the third ſection of Mr. Stephens's petition it is ſtated, that the ſcales were falſe and fraudulent; by which we find, from his evidence, he means the ſcales uſed in the kitchen of the priſon. Mr. Stephens, Mr. Drummond, and Mr. Grant, three of the grand jury who attended the ſurvey of the priſon, ſtate in their evidence, that theſe ſcales were not of equal weight, but as none of them tried the ſcales ſo as to aſcertain the extent of the inequality, we form our opinion as to this part of the caſe on the evidence of Benjamin Hiatt, a ſcalemaker;

ſcalemaker; by which it appears that the ſcales in queſtion had been in uſe about 14 years, during which period he had repaired them five or ſix times, and the laſt repair was at the diſtance of two years and a half; that they were not falſe, but from length of time had become ruſty and dull, requiring about half an ounce to turn them, but which ſtate of the beam gave an advantage to the perſons taking the article weighed.

We find, that by the twelfth rule made at the Michaelmas ſeſſions 1794, the governor is directed to take care that neither the priſoners nor the county be defrauded, and to keep ſcales and weights for that purpoſe; and independent of the rule, he ought, from the nature of his office, to ſee that they are always true, and we think that at the time the grand jury made their ſurvey he had not paid ſufficient attention to the ſtate of theſe ſcales; and this appears to have been his own opinion, by his having, immediately after the ſurvey, given (either perſonally or through Amos the ſtorekeeper) a general order to Hiatt to do what was from time to time neceſſary to be done to the ſcales and weights, who before that time only examined them when he had a particular order, but under this general order he now examines them once a month. We find, that in conſequence of directions from the magiſtrates given in January or February 1808 to Amos the ſtorekeeper, to have the ſcales inſpected, new ſcales were ſhortly afterwards put up in the kitchen with new weights. We are ſatisfied the ſcales were not neglected with any intention to diminiſh the daily allowance of food to the priſoners, and we do not think that ſuch was the effect; but we are of opinion, it is the duty of the governor to ſee that all the ſcales and weights in the priſon, which conſiſt of four pair (one in the kitchen, another large pair under the gateway, another pair uſed by Amos the ſtorekeeper, and the other uſed for weighing oakum) are inſpected by a ſcalemaker, as often as may be neceſſary to keep them true.

In the fourth ſection of Mr. Stephens's petition it is ſtated, That ſeveral liege ſubjects were committed to cloſe cuſtody in cells deſtitute of fire, 8 feet 3 inches long by 6 feet 3 inches wide, two of them in irons, although ſick, being detained merely for re-examination; that of this number were a mother, daughter and ſon, of creditable appearance, the two former in one cell, ſo conſtructed as to be expoſed to a continual current of external air, without the poſſibility of obtaining, even during the ſevereſt froſt, an artificial warmth by means of fire, while the convicts enjoyed the comforts of an open roomy yard, with occaſional acceſs to fire. We do not conceive that Your Majeſty intended to require any opinion from us on the propriety of committing priſoners for re-examination, it being a practice in general uſe by magiſtrates, and as applicable to every other gaol in the metropolis as to the houſe of correction at Cold Bath Fields. The fact is, that perſons are committed to this priſon in order to be brought up again for further examination. The warrant generally expreſſes the commitment to be on ſuſpicion of felony, and for re-examination on ſome future day ſpecified in it, frequently two days afterwards, and ſeldom exceeding four. On our ſurvey of the priſon we found twenty-one cells, ſeven for males and fourteen for females, appropriated for the reception of priſoners of this deſcription. Theſe cells are well known to the magiſtrates, being deſcribed in the engraved plan of the priſon. Their dimenſions are accurately ſtated in Mr. Stephens's petition; but they are of the ſame ſize as the other cells. The priſoners therein cannot have any acceſs to a fire; and there not being any yard appropriated for ſuch perſons, they are conſtantly confined to their cells; and though it is deſirable that no priſoner in health ſhould be kept in his cell in the day-time, it deſerves conſideration whether it would not frequently defeat the purpoſe of further examination, if ſuch priſoners were permitted to mix together in a common yard. The conſtruction of theſe cells does not differ from thoſe in other parts of the priſon; the light paſſes through an aperture in the wall, and the outer air can be excluded only by the priſoner drawing up a wooden ſhutter, which alſo excludes the light. It appears by the books of commitments kept at the priſon, that on the 3d of November 1807, when Mr. Stephens and other grand jurymen made their ſurvey, four males and four females, who ſtood committed upon ſuſpicion of felony, and for re-examination, were confined in the cells before-mentioned; two of theſe were a mother and daughter, who were put into the ſame cell; and though the language of Mr. Stephens's petition ſeems to imply that their confinement in one cell was a grievance, in his examination he acknowledges that he did not

conſider it as a matter of diſtreſs to them, and we are of opinion that it was intended as an act of kindneſs. It appears by the examination of Mr. Aris the governor, Samuel Aris his ſon, and Thomas Amos the ſtorekeeper and taſk-maſter, that the male priſoners committed for re-examination are generally brought to the priſon with irons on; that if the offence for which they are committed is not very atrocious, and the governor from converſation with the priſoners thinks they can be ſafely kept without irons, he orders them to be taken off, and that he does not put irons on ſuch priſoners as are brought without irons, unleſs he knows them to be notorious thieves, and that it would be dangerous to let them remain without irons. Taking the fact to be as ſtated in this ſection of Mr. Stephens's petition, that two of theſe priſoners in irons were ſick, it appears by the evidence to have been unknown to the officers of the priſon, and that neither of them had complained of ſickneſs. Upon conſidering this part of the caſe, we think that no unuſual ſeverity was practiſed upon any of the priſoners who ſtood committed for re-examination, at the time Mr. Stephens and others of the grand jury made their ſurvey of the priſon; and as the governor of this priſon cannot refuſe to receive perſons committed for re-examination, and as particular cells are appropriated for ſuch priſoners with the knowledge of the magiſtrates, our opinion is, that the confinement of ſuch priſoners in theſe cells cannot be imputed to him as a matter of miſconduct. He appears to have no power or opportunity of exerciſing any diſcretion but in the uſe of irons; and as many of the priſoners are charged with offences of a more atrocious nature than thoſe for which the convicts are confined in this priſon (properly a houſe of correction only) for puniſhment, and ſome of theſe priſoners are notorious offenders, it ſeems neceſſary for the ſafety of the priſon that the governor ſhould have a diſcretionary power to make uſe of irons when he thinks them neceſſary, as a further ſecurity for their confinement, he being always liable to anſwer for the exerciſe of that diſcretion, and to be puniſhed for the abuſe of it. We obſerve, that by the 18th rule made at the Michaelmas quarter ſeſſions 1794, the governor is directed, when he puts handcuffs or fetters on any priſoner, to enter it in his journal, with his reaſon; and though this rule may not in the letter of it apply to thoſe priſoners who are brought to the gaol with irons on, yet we think it would be proper that an entry ſhould be made in the journal of all priſoners who are brought in with irons, and whether the irons were continued on or taken off.

In the fifth ſection of Mr. Stephens's petition, he ſtates, That in one of theſe lonely cells a foreigner of ſome rank was cloſely confined, who, as the grand jury were told by one of the gaolers, had, while ſo immured, been deprived of his reaſon, and who preſented to Mr. Stephens (after communicating ſome time with him through the key-hole and demanding entrance) a memorial on his knees. Some of the circumſtances ſtated in this ſection, taken ſeparately, appear to be true; but the moſt important of them, conſidered as a charge of miſconduct on the part of Mr. Aris the governor, have no foundation in fact. From the evidence given before us, we find that the perſon deſcribed as a foreigner of ſome rank, is the Chevalier Charles de Blin before mentioned; and that he was committed to this priſon on the 3d of May 1807, as an alien, under a warrant from lord Hawkeſbury, dated 30th April preceding; and that Mr. Aris having been directed by a magiſtrate to prevent De Blin from converſing with another alien, named Etienne Martelly, committed on the ſame day, or any other perſon, put him into one of the rooms on the ground floor, which are called the ſtate-rooms, and ſo deſcribed in the engraved plan of the priſon. In making our ſurvey, we particularly examined this room, and found it to be 13 feet 6 inches long, 7 feet 6 inches wide, and 11 feet high: it has a fire-place and two glazed windows. It appears by the evidence, that De Blin had a fire and candles; that he was furniſhed with a bed, blankets, ſheets, and a coverlid, a chair and a table; that a turnkey lighted his fire, made his bed, cleaned his room, and attended him three or four times a day; and, in addition to the priſon allowance, he was ſupplied with other food out of the money allowed by government for his maintenance. After De Blin had been confined about three weeks, the governor was authorized to permit him to take exerciſe in any part of the priſon where he could not communicate with the other alien; and, in conſequence, he had liberty to walk in the yard adjoining the ſtate-room, under the care of the turnkey. In the month of September 1807, he began to ſhew ſymptoms of inſanity, and attempted to get

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over the wall which ſeparates this yard from the female priſoners, throwing his money, linen, clothes and proviſions over that wall. Theſe ſymptoms increaſing, Dr. Monro was called in, who having ſome doubt whether De Blin was inſane or counterfeited inſanity, recommended that ſome perſon ſhould be conſtantly with him to watch him. In conſequence of this recommendation, and of the refractory behaviour of De Blin, he was, towards the end of December 1807, removed from the ſtate-room to the infirmary, which is a large boarded room with glazed windows, and wherein there was no patient at that time, and placed under the care of a perſon who had been accuſtomed to attend on inſane perſons; and afterwards under that of one of the turnkeys. At the time Mr. Stephens and others of the grand jury ſurveyed the priſon, De Blin was in the ſame ſtate-room in which he had conſtantly been from the time of his commitment, it is therefore not true that he was confined in one of thoſe lonely cells deſcribed in the fourth ſection of Mr. Stephens's petition, and to which the fifth ſection refers; and it is not true that he was deſtitute of fire, or expoſed to a continual current of external air. It appears, that during his confinement he was deprived of his reaſon; but we do not ſee any ground for ſuppoſing that his inſanity aroſe from any treatment which he experienced in this priſon. It may have been occaſioned by confinement, he being a man of high ſpirit; but if it had, the ſame effect would have followed from his being kept in cuſtody in any other priſon. The ſtatement in this ſection, that Mr. Stephens communicated with De Blin in the French language for ſome time through the key-hole, and demanded entrance; if it means to inſinuate that entrance was denied or delayed, is not correct. The facts appear to be, that in the abſence of the governor, Thomas Amos the ſtorekeeper and taſk-maſter, with the turnkey, attended Mr. Stephens, and ſix or ſeven other grand jurymen, in their ſurvey of the priſon, on the 3d of November 1807; and when they were in the yard adjoining the ſtate-room in which De Blin was confined, the turnkey aſked Amos whether he was to open the Frenchman's door, and that Amos told him to do ſo conſidering the number of perſons who were making the ſurvey; and Mr. Stephens's apparent anxiety to diſcover any thing that was wrong in the priſon, it is probable that he went forward before the turnkey, attracted by the noiſe that De Blin made. Mr. Stephens, in his examination ſays, they, the grand jury, were addreſſed in French through the key-hole; and that, though they were not poſitively refuſed entrance, there was a conſiderable degree of heſitation; that heſitation appears to be nothing more than the queſtion put by the turnkey to Amos, whether he ſhould open the door of De Blin's room, which was immediately anſwered by Amos in the affirmative; and none of the grand jury except Mr. Stephens have expreſſed any idea that leads to a ſuppoſition of any intention of preventing them from ſeeing De Blin. It appears from the examination of Mr. Drummond and Mr. Grant, that the noiſe which De Blin made attracted the attention of themſelves and Mr. Stephens in the yard; and, that Mr. Stephens aſked Amos who it was, and was told it was a Frenchman committed by government, who was out of his mind.

The memorial, which Mr. Stephens ſtates in his petition De Blin preſented to him on his knees, he admits, in his examination, to be incoherent in the extreme. The ſtate of De Blin's room appears not to have made much impreſſion on Mr. Stephens's memory; for he could not, at the time of his examination ſay, whether there was any fire-place in it, or how many windows it had, or whether they were glazed; although, in this ſection of his petition, he ſtates De Blin to have been confined to one of the lonely cells, which he had in the preceding ſection deſcribed as being deſtitute of fire, and open to the outer air. Upon due conſideration of this part of the caſe, we are of opinion, that the conduct of Mr. Aris the governor, and the other officers and ſervants of the priſon, towards the Chevalier Charles de Blin, has been proper and undeſerving of cenſure or reproach.

In the ſixth ſection of Mr. Stephens's petition he ſtates, that in this place (meaning the houſe of correction at Cold Bath Fields) originally deſtined for the improvement of the morals of petty offenders, a female priſoner, as he has ſince learned has been debauched by the ſon of the chief gaoler or governor, who then held an office of truſt in the priſon, and that ſhe has ſince had a child burthenſome to the pariſh of Kenſington. The obſervation made on the fifth ſection equally applies to this; ſome of the circumſtances ſtated appear to be true, but

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taken together and conſidered as a charge of miſconduct imputable to Mr. Aris the governor, or any other officer of the priſon, they are not founded in fact. We have proceeded to inveſtigate this charge, and we find that Thomas Aris, one of the ſons of Mr. Aris the governor, is the perſon meant in this ſection of the petition;—that he never was employed in any office in the priſon—but in the year 1803, when he was about twenty years of age, he lodged with his father in the houſe within the walls of the priſon appropriated to the governor. In that year a woman named Elizabeth Kew was convicted at the ſeſſions, and ſentenced to be impriſoned a month in the houſe of correction. Mr. Aris, the governor, being in Court when ſentence was paſſed, received directions from the juſtices not to let her mix with the other priſoners; in conſequence of which he ſent her to the Lodge, and finding her a meek, well-behaved woman, he took her into his houſe to act as a ſervant, and ſhe continued ſo to do until her time expired, which was on the 10th of February 1803. Mr. Aris ſtated, that he had been in the habit of taking a ſervant from the female priſoners, when he has found one among them that appeared deſerving of being kept apart from others of the ſame claſs, or has had a recommendation from the Court, ſimilar to that which he received in the caſe of Elizabeth Kew. We ſee nothing cenſurable in this, and indeed it ſeems to be permitted by the 28th rule made at the Michaelmas ſeſſions 1794. After the time of Elizabeth Kew's impriſonment had expired, Mr. Aris the governor, in conſequence of her good behaviour, hired her as a ſervant at yearly wages, and ſhe continued with him about half a year, and then left his ſervice at the requeſt of her mother, who wanted her aſſiſtance in conſequence of a family illneſs. On the 22nd of Auguſt 1804, this Elizabeth Kew was delivered of a baſtard child at her father's houſe in the pariſh of Kenſington, but no legal proceeding appears to have taken place until the month of May 1807, when we find, from the examination of Mr Robinſon, then one of the overſeers of Kenſington, that ſhe having applied to the pariſh for relief, was taken before a magiſtrate to be examined, and in her examination ſhe ſwore that Thomas Aris the younger was the father of the child. A warrant was then iſſued againſt him, and he, with his father and another perſon, gave ſecurity to the pariſh. The reſidence of Elizabeth Kew with Mr. Aris the governor, gave his ſon Thomas, who reſided with him, an opportunity of becoming acquainted with her; but it does not appear that their acquaintance had proceeded to criminality before ſhe left the ſervice of Mr. Aris the father, which was in the month of Auguſt or September 1803, or that Mr. Aris ever knew his ſon had been connected with her until the warrant iſſued againſt the ſon as the putative father of the child, which was not born until eleven months at leaſt after ſhe had quitted the ſervice, and eighteen months after ſhe had ceaſed to be a priſoner. We are of opinion that the whole of the charge in this ſection is unfounded, ſo far as it imputes miſconduct to Mr. Aris the governor. Mr. Stephens mentions in his examination, that he thought the information he had obtained, though hearſay only, was a ſufficient ground for ſtating it in his petition; but we are of opinion that he ought to have obtained better information, which he might have had from Mr. Robinſon; and that mere hearſay did not warrant him in making that a ſubject of public complaint and accuſation againſt Mr. Aris, which on proper enquiry he might have known to be a private family misfortune.

The ſeventh ſection of Mr. Stephens's petition contains a ſtatement, That four debtors were ſhut up in this houſe of correction; and that the only communication between them and the world appears to take place occaſionally, by means of two iron grates at upwards of ſix feet diſtance from each other, with a gaoler walking in the interval, ſo as to preclude complaint; and that from the examination of a debtor and a letter from him, both in the poſſeſſion of Mr. Stephens, it appears that the debtor was ſhut up with perſons guilty of robbery, and even of unnatural crimes. This ſection contains two diſtinct charges; one relating to debtors in general confined in this priſon, and the other relating to the treatment of a particular debtor not named in the petition, but whoſe name Mr. Stephens, in his examination, ſtated to be Thomas Entwiſtle. It appeared to us extraordinary that any debtors ſhould be confined in this priſon, it being properly a houſe of correction, and not under the care of the ſheriff, we therefore enquired by what authority the debtors were ſent to this priſon; and we find that by an Act paſſed in the twenty-third year of the reign of his late Majeſty King George the Second, intituled, "An

"Act

"Act for the more eaſy and ſpeedy Recovery of Small Debts within the Tower "Hamlets," the Commiſſioners thereby appointed, are authorized to commit to the common gaol or houſe of correction for the county of Middleſex, for any time not exceeding forty days (ſince limited to twenty days where the debt does not exceed 20s., and to forty days where the debt does not amount to or exceed 40s. by an Act paſſed in the twenty-fifth year of Your Majeſty's reign, c. 45.) any perſon who ſhould not perform ſuch order as they ſhould make concerning the debts of which they by the ſaid Act have cognizance. We find that the communication which the debtors are permitted to have with their friends, is very different from what is ſtated in this ſection of the petition. The mode of communication therein ſtated is practiſed as to convicts, and is proper to enſure the ſafety of the priſon; but the debtors are permitted to ſee their friends at all hours of the day, between the times of unlocking the rooms of a morning and locking them up in the evening; any perſon enquiring for a debtor, is permitted to come into the yard in front of the office, which is within both gates, deſcribed in Mr. Stephen's petition; the debtor is ſent for into the yard, and there he is at liberty to converſe with his friends without controul from any perſon. We think this communication between debtors and their friends is as free and unreſtrained as is neceſſary for any uſeful purpoſe, or conſiſtent with the ſafe cuſtody of the priſoners. As to the treatment of Thomas Entwiſtle, during his confinement as a debtor in this priſon, we found, by the examination of Mr. Stephens, that his knowledge was obtained from converſation with Entwiſtle, on whom he called in conſequence of ſir Richard Phillips having delivered to him certain letters which he ſir Richard Phillips had received from Entwiſtle. We therefore proceeded to examine Thomas Entwiſtle, and we find that he was committed to this priſon by the Court of Requeſts of the Tower Hamlets, on the 4th of November 1807, and that he continued therein until the 13th of that month, when he was diſcharged by an order of that court. We alſo examined Mr. Webbe the ſurgeon, Samuel Aris the clerk and book-keeper, Thomas Amos the taſkmaſter, and Roger Bridgeman the turnkey; and upon conſideration of the evidence given by them and comparing it with the account given by Thomas Entwiſtle, and from our own ſurvey of the priſon, it appears to us that the room appropriated for male debtors is ſituated on the firſt ſtory on the eaſtern ſide of the priſon; and that ſome time before November 1807, a French alien named Lucas Prieur, who had been committed, with an order to keep him ſeparate from the other priſoners, was removed from one of the ſtate-rooms to the debtors room, which was then unoccupied, there not being any male debtor in the priſon. The Frenchman was removed to this room, becauſe the yard belonging to it was in a part of the priſon where it was more proper for him to be than in the yard belonging to the ſtate-room, that yard being next the female convicts, and this Frenchman alſo having behaved improperly by throwing money and proviſions to them over the wall. This Frenchman continued in the debtors room until the 19th of March 1808, when he was diſcharged from the priſon. His occupation of the debtors room occaſioned a temporary change in their place of confinement, and ſuch debtors as were committed after the Frenchman was put into the debtors room, and before his diſcharge, which includes the time when Thomas Entwiſtle was committed, were put into a room on a ſecond ſtory, at the north-eaſt corner of the priſon, which is over the room appropriated to vagrants, the ſtair-caſe forming a communication between them. This room on the ſecond ſtory contained five beds, and in the early part of October 1807, the debtors being leſs than that number, ſome of the vagrants who were old or not in good health, were in conſequence of the opinion of Mr. Webbe the ſurgeon, that their room was too much crowded, permitted to ſleep in the debtors room, and the door was not locked during the night, in order that the aged or ſick men might, if neceſſary, have acceſs to the man called the Nurſe of this ward, who ſlept in the vagrants room below. Roger Bridgeman, one of the turnkeys, with another turnkey, (who has ſince left the priſon) had the care of the vagrants and debtors during the time Thomas Entwiſtle was in cuſtody; and Bridgeman ſays in his examination, that he or his partner went into the debtors room every night, and that to his knowledge only five perſons ſlept in this room; that he never ſaw or knew that any bed was on the floor, and that the debtors were told, that the vagrants put into the room below had no right to come up ſtairs into their room, and that they, the debtors, might keep

them out if they pleased. Thomas Entwistle, on the contrary says, eight persons slept in this room during the time he was in the prison, and that he was one of the three who were obliged to sleep with their beds on the floor; but he does not appear to have made any complaint of this to the turnkey, or any other officer in the prison. It appears by the books of the prison, that on the 4th November 1807, when Entwistle was committed, there were five other debtors confined in it, one of whom was discharged four days afterwards; and though the evidence, as to the number of persons who slept in the debtors room, is contradictory, it is clear that two or three prisoners, not debtors, were there; they might be, as Bridgeman the turnkey says they were, aged or sick; but we think neither vagrants or convicts ought under any circumstances to be mixed with debtors, and that it was the duty of Mr. Aris the governor to have prevented it. It further appears to us, that in consequence of one person whom Entwistle describes to be a debtor, being removed from the debtors room, a man named Richards was put into it, who was under sentence of imprisonment for an attempt to commit an unnatural crime. We have not been able to obtain a clear or satisfactory account how this man came into the debtors room, or by whom he was put there. Bridgeman the turnkey says, he was put in by order of Mr. Webbe the surgeon; but Mr. Webbe does not recollect that he gave any orders for this man, or any other person in particular, to be put into the debtors room. Mr. Aris the governor, on being questioned, said, he did not know that Richards slept in this room, nor was it known to his son Samuel Aris; but we find, by the examination of Thomas Amos the taskmaster, that Richards was originally put into his proper place, namely, the yard belonging to the prisoners for misdemeanors; the time when or by whom he was removed from that yard to the vagrants room does not appear, but Amos saw him there, and at first threatened to send him back, but afterwards, on being told by Richards that he had been ill treated by the other prisoners confined for misdemeanors, and Richards begging to continue with the vagrants, Amos, apparently from a motive of compassion, consented to his request. Having thus obtained admission into the vagrants room, it was easy for him to get into the debtors room over it, the communication between these rooms being open. It was natural that Richards should endeavour to get away from such of his fellow-prisoners as had heard of what offence he had been convicted (which, from the ill treatment he received in the yard appropriated to prisoners for misdemeanors, it may be presumed they knew) and put himself with those who were ignorant of his offence; but we think that circumstance does not justify his being placed there, and that some part of the prison ought to be appropriated for the solitary imprisonment of those offenders, whose crimes are of such a nature as to induce other convicts to avoid their society. We must further observe, that if Mr. Aris the governor had obeyed the fourth rule made at the Michaelmas quarter sessions 1794, which directs him to see every prisoner in his custody once at least every day, debtors could not have remained mixed with prisoners of any other description without his knowledge; and if he found it necessary at any time to put them into the same room, he would have been able to state his reason for doing so.

The eighth and last section of Mr. Stephens's petition states, That six innocent persons, the bills against whom had been thrown out by the grand jury, were dragged from this prison to Hicks's-hall, in open day, at the close of the sessions, first manacled, and then fastened together by a rope, to be discharged by proclamation. The charge contained in this section appears to be founded partly on what Mr. Stephens saw, when attending in the sessions-hall as one of the grand jury, in November 1807, and partly on what he was there told by others of the grand jury; and if he had made enquiry, he would have learned that no unusual severity was practised on this occasion, but that the prisoners were taken from the prison to Hicks's-hall, in the same manner as they have been taken for many years past. Mr. Aris, in his examination, states how they are conveyed: he says, that towards the close of the sessions, after the grand jury are discharged, he receives a verbal order from the court to bring up those prisoners against whom no bills of indictment have been found, the number of which varies very much; that if the number be small, or they are principally females, and he thinks there is no danger of an escape, they are not confined in any way; but if they are numerous, two are tied together by the wrists with a string, and a rope is run between each pair to keep them altogether. Mr. Stephens describes the persons

so

ſo conveyed as innocent perſons, and ſo they muſt be taken to be in law, when the grand jury have not found the bills of indictment preferred againſt them; but it ſhould be remembered, that they are perſons who have been accuſed of felony, or ſome other offence, and that the evidence againſt them has been ſufficient to induce the magiſtrates to commit them for trial. We think ſuch perſons are not entitled to be diſtinguiſhed by the appellation of innocent perſons, but whether they be innocent or guilty in fact is immaterial, if the manner of conveying them to the ſeſſions ſtated in this ſection be intended as a charge of miſconduct on the part of Mr. Aris the governor, or his inferior officers, becauſe he has no authority to judge of their guilt or innocence; he has the care of them as priſoners charged with ſome crime, and he cannot legally notice that the bill againſt any priſoner is not found by the grand jury, or liberate any one without the order of a court or of a magiſtrate. It is in obedience to the order of the court that he conveys them from the gaol to the ſeſſions-houſe; and as he is anſwerable for them until they are legally diſcharged out of his cuſtody, we think the manner in which they are brought up is not an exerciſe of any unneceſſary ſeverity; which is the only queſtion ariſing on this ſection of the petition, ſo far as it relates to Mr. Aris the governor. It is the general practice in the courts of gaol delivery, to detain the priſoners in cuſtody until the grand jury are diſcharged, notwithſtanding the bills of indictment preferred againſt them for the offence for which they ſtand committed have been thrown out, becauſe other bills may be preferred againſt them for other offences, upon which, if found by the grand jury, they muſt be tried before they can be diſcharged. But if the magiſtrates ſhall think proper to order the priſoners in the houſe of correction to be brought up ſingly, or in ſmall numbers, at the cloſe of the ſeſſion of the peace, or as ſoon as the bills againſt them are not found, they may be conveyed without any confinement of their limbs.

Having completed our enquiry into the matters repreſented in the ſaid petition, preſented by Mr. Stephens to Your Majeſty's faithful Commons, and into the conduct of all perſons concerned in the government or management of the ſaid priſon, with reſpect to the matters in the ſaid petition complained of as abuſes, we proceeded to enquire whether any and what remedies, regulations, or proviſions have been applied or adopted for the better management of the ſaid priſon, ſince the making of the former report to Your Majeſty on the firſt of November 1800, mentioned in Your Majeſty's ſaid commiſſion.

The conſtruction of this priſon, and appropriation of its ſeveral parts, have been ſo fully deſcribed in that Report, as alſo the duties of its officers, and the alterations and improvements which appeared to them worthy adoption, that it would be ſuperfluous for us to detail thoſe ſubjects very minutely. We deem it ſufficient to notice the alterations which have ſince taken place, and humbly to repreſent to Your Majeſty ſome others, which, if adopted, may tend to the further improvement of this place of confinement.

A room, heretofore uſed as a ſtore-room, was about a year ago converted into a day-room for male priſoners detained for miſdemeanors, which was much wanted, and which has increaſed the number of day-rooms to ſeventeen.

Fire-places have been provided by order of the magiſtrates in the ſeventeen day-rooms; and a caſt-iron ſtove has been placed in one of them, viz. in the room over the waſh-houſe. Thus a great number of priſoners, by placing themſelves round this fire, have the advantage of warmth in cold or wet weather, the conſumption of fuel is leſſened, and the priſoners are ſupplied with hot water during the whole day. From the ſucceſs of this experiment, it is preſumed, that iron ſtoves will become in general uſe in the priſon.

Before the augmentation of the number of day-rooms it frequently happened, that two claſſes were brought together in very bad weather, and remained united the greateſt part of the day, ſometimes nearly fifty in number. The rooms were not ſufficiently capacious for the healthful reſpiration of ſuch numbers. In froſty weather, when fires were allowed, as few could come near the fire-places, continual diſputes aroſe and often ended in blows, and the more quiet and inoffenſive were driven away by thoſe who were more ſturdy and violent. In damp chilly weather, when fires were not allowed, ſo many perſons coming for ſhelter into theſe rooms with damp clothes, and cloſing the apertures intended for ventilation for the ſake of procuring warmth, produced a ſtrong tendency to typhus fevers.

Further

Further accommodation for the ſick having been found requiſite, the old infirmaries have been converted into foul wards, and two new infirmaries provided in the large airy rooms over the tanks. The acceſs to thoſe rooms was deſcribed in the laſt Report as difficult; but new ſtair-caſes having been erected that difficulty is removed.

The ſhutters of the windows, which have an external aſpect, are now placed on the outſide of the iron gratings, the remainder are ſtill on the inſide: when out of order they are immediately repaired.

All the privies have been converted into water-cloſets, and ciſterns of water conſtructed for their ſupply.

An alteration has been made in the wooden bedſteads; the upper part is raiſed to anſwer the purpoſe of a bolſter, and the bedſteads are hollowed out inſtead of being lathed, conſequently they cannot now be damaged or deſtroyed for the purpoſe of burning. The copper in the kitchen is now incloſed, and a funnel placed to carry off the ſteam, which before was a great nuiſance in the kitchen.

A new ſtove has been put up in the chapel, which renders it warm and tends to the preſervation of health.

A ſchool has been eſtabliſhed for the education of the children of female convicts and others reſiding in the priſon, an inſtitution for which great praiſe is due to the magiſtrates.

Room rent at two ſhillings and ſixpence per week is no longer demanded, nor the ſhilling per week for the hire of a bed; and no room rent is now paid in the priſon, except for the five ſtate-rooms rented at the rate of half-a-guinea each per week.

A ſecond blanket is furniſhed to every priſoner during the winter ſeaſon, and in very ſevere weather a third blanket is often ſupplied.

Clothes are now delivered out to all deſcriptions of priſoners, even to ſuch of the ſeven days vagrants as are in need of them, and clean linen once per week; theſe vagrants on admiſſion are equally with the reſt thoroughly cleaned, and at their diſcharge, if their own clothes are inſufficient, decent clothing is beſtowed upon them.

Every priſoner without any diſtinction is allowed the ſame rations of bread, broth, meat, &c. viz. a pound of bread and a pint and a half of gruel in the morning, and ſix ounces (after boiling) of meat without bone, or a quart of broth with vegetables alternately every other day.

When the ſurgeon thinks it requiſite, he recommends an additional quantity of bread and meat and alſo porter, and notes the ſame in his book for the information of the committee.

Proviſion ſent to priſoners by their friends are received at all hours, from the time of unlocking in the morning to the time of locking up in the evening.

We found great regularity in the books, which are kept in admirable order by Mr. Samuel Aris.

From the magnitude of the priſon and the great number of perſons confined, it is ſcarcely poſſible for the governor (having ſo many other duties) to adhere ſtrictly to the orders which direct him to ſee every priſoner, and examine every cell in the courſe of each day. The particular inſpection of the courts is delegated to the ſeveral turnkeys (two courts to each turnkey) who minutely examine the ſtate of ſuch courts, and of all the cells belonging thereto, and ſee and converſe with all the perſons confined therein, and daily report to the governor whatever they find requires his attention. Mr. Amos, his ſon-in-law, who is ſtorekeeper and taſkmaſter, is alſo continually going through every part of the building, and communicating with all who are in cuſtody; he alſo goes round with the turnkeys to ſee the priſoners locked up at night. Mr. Aris himſelf alſo very frequently examines the different parts of the priſon, and the priſoners have conſequently continual opportunities of making known to him their wants, or of communicating to him their complaints.

Having now ſtated thoſe improvements which have been already eſtabliſhed, we proceed to ſubmit ſome others to Your Majeſty's conſideration, from which we are of opinion that much good would reſult.

In all priſons on the new conſtruction, it has been deemed deſirable that no priſoner ſhould ſleep in a cell on the ground-floor; it is however leſs objectionable in this priſon than in many others; the ground-floor cells being built on arches,

arches, and being raiſed three ſteps above the level of the ground. The number of the cells on the upper ſtories (excluſive of 16 dark cells uſed for refractory priſoners) is one hundred and fifty-five, providing accommodation for an equal number of perſons, and on the ground-floor there are 50 ſingle cells, 12 double cells and one triple cell, providing for 77 more perſons, and the total is 232. The infirmaries and foul wards can receive 28 perſons, and the rented rooms five more, making 265; and the vagrants apartments, the nurſery, the ſchool, &c. can receive 72 more; making in the whole accommodation for 337 perſons. This priſon, conſidered only as a houſe of correction for the county of Middleſex, is by no means too extenſive, and the accommodation for 77 perſons on the ground-floor ſhould not be loſt, if theſe ground-floor cells are not unhealthy. It would very eſſentially tend to render them more healthy, if the doors of theſe cells were altered, and made to open into the paſſages, in the ſame manner as thoſe on the upper ſtories; an alteration which has been tried in three or four inſtances; at preſent they open into the courts; a difference in their conſtruction which may be attributed to their having been originally intended for working cells only, and not for ſleeping in at night. The advantages which would reſult from this alteration are many and important; theſe cells would be warmer and leſs damp; yet the croſs ventilation would be as perfect as at preſent. Acceſs to any ſleeping cell in the day-time could (by the locking of one door in each court) be wholly prevented; a regulation very eſſential in every place of confinement, as no priſoner ſhould remain by day in the cell in which he ſleeps at night. Eſcapes during the night would alſo be more difficult; for a perſon would have two or three doors to force inſtead of one, before he could even get into any court. The practice of ſeveral priſoners crowding together in wet weather in the ground-floor cells would ceaſe; which in ſuch weather muſt always cauſe them to be dirty and damp, the air in them contaminated and likely to generate putridity and typhus fevers; and much evil would likewiſe be avoided, ariſing from the cabals of priſoners, who collect themſelves together in theſe cells, and, being leſs expoſed to obſervation than in the open courts, converſe on all ſorts of miſchief, uſe the moſt depraved and offenſive language, and have opportunities of contaminating the morals of thoſe younger offenders who have not yet arrived at ſo great a degree of profligacy as themſelves. This improvement can be obtained at a very inconſiderable expence; the windows over the preſent doors would require no alteration, thoſe doors could be placed in the back walls of each cell, the bricks taken down to make the openings for the doors, would ſupply at leaſt half the materials requiſite to wall up the preſent doorways, and the whole expence would be the labour, and the providing a ſmall quantity of bricks.

The claſſing and ſubdividing of priſoners appears not to have been ſufficiently attended to in the conſtruction and appropriation of the ſeveral parts of this priſon, though an object of the firſt importance, and there is ſtill a great want of ſeparation, eſpecially with regard to females. The female apprentices and female debtors are not ſo well provided for as males of the ſame deſcription; and there is no poſitive place allotted to them where they can have acceſs to a fire in cold or damp weather; whence they have uſually been placed with female convicts or female vagrants, which is obviouſly highly improper. It is ſtated in the former Report, that this priſon being intended for a houſe of correction, is fitted up ſuitably to the claſſing of the ſeveral convicted perſons according to the nature of their crimes and puniſhments; that the cells uſed by penitentiary priſoners anſwer as night apartments every intended purpoſe, but are very objectionable as day apartments, as in ſevere weather the occupants have no other alternative than darkneſs or expoſure to outward air, and that it is inconſiſtent to deny light in a place applied to the purpoſes of labour, but at the expence of cold, which may be ſo acute as to prevent the ability to work. In all apartments therefore in which work is to be performed, the glazing of windows ſhould not be omitted; but the ſaſhes ſhould be ſo conſtructed as to be capable of being fixed to any degree of aperture, and ſhould likewiſe be made of bull's-eye glaſs.

A greater ſeparation of claſſes might be obtained, at an inconſiderable expence, by converting ſuch a part of each arcade as might be about equal to four cells, into a day-room for the reſpective interior courts. It would only be neceſſary to build an end wall to each day-room at the diſtance propoſed, and

a low wall about three feet and a half high in three of the arches, and to place a door in the fourth. From the height of three feet and a half, to the ſpring of the arch, wooden ſhutters would be ſufficient, to be ſhut in bad weather, and kept open at other times, and to place an iron bar at the height of the ſpring of the arch, and a window over each. A ſmall iron-ſtove ſhould be put in the centre of theſe day-rooms, and holes for a croſs ventilation made in the back walls. Laſtly, benches ſhould be provided for theſe day-rooms.

Accommodation might then be eaſily contrived in the eight exterior wings for ſeveral additional claſſes, who are not very numerous, but who can hardly be ſaid to have any determined place allotted to them; ſuch as idle apprentices, both males and females, king's evidence, and perſons committed for re-examination (if ſuch ſhould ſtill be ſent to this priſon) female debtors, and young offenders; and there are occaſionally ſome notorious characters, whom it may be deſirable to keep totally ſeparate from every other deſcription of priſoners. All theſe claſſes ſhould have ſeparate day-rooms in the ground-floor apartments of the ſeveral wings, each claſs having acceſs to its adjoining exterior court; and the rooms up ſtairs might be converted into ſleeping cells for ſuch claſſes, ſingle or double, according as air and light may be obtainable, which would provide for an additional number in the whole, and no claſs would then conſiſt of more than about ſixteen priſoners.

A conſiderable ſpace is loſt in uſeleſs arcades to the north of the kitchen. Cells might be conſtructed there for the reception of priſoners brought to this place in the night; and another part might be incloſed for ſtore-rooms, which would admit of one or two rooms now uſed for that purpoſe, being converted into day-rooms.

Of the ſixteen cells on the firſt and ſecond ſtory, which open into the galleries, twelve are dark, having only a ſmall borrowed light over the doors from the paſſages, by converting thoſe on the ſecond ſtory into double cells (which are very uſeful where priſoners are ſubject to fits, &c.), thoſe cells would have light, and the number of dark cells would be reduced to the eight on the firſt floor, which would be quite ſufficient for the purpoſe of confining the refractory priſoners.

A ſleeping-room for boys, and another for girls, ſhould be conſtructed over the room appropriated to the ſchool, a ſtaircaſe to them can be eaſily contrived. Theſe ſleeping-rooms ſhould have large windows, but need not be above ſeven feet high; that for girls ſhould be on the firſt ſtory, and that for boys in a garret in the roof: the benefit from this ſchool is in a great degree counteracted by the children returning to their mother's claſſes after ſchool hours in the evening. The mothers could be brought into the ſchool room, or ſchool yard, at proper times, to ſee their children, and would have an intereſt in conducting themſelves at ſuch times with propriety.

An additional upper room ſhould be built in the lodge on the eaſt ſide, not merely to render the building regular in outward appearance, but more eſpecially to provide a ſleeping room for turnkeys, which is very much wanted.

The brewhouſe in the lodge, or part of it, might be converted into a viſiting room for debtors, who now can only communicate with their friends walking in the court or ſitting under the gateway.

The porter's lodge is much too ſmall, beſides being damp and unhealthy, and could at a very ſmall expence be rendered convenient.

The times for delivering of food are within about four hours of each other; whence it ariſes that many who are improvident remain eighteen or nineteen hours without eating. It appears to us that two o'clock would be a more proper hour for dinner than the preſent hour of twelve. As the priſoners have no ſupper, the officers of the priſon concur with us in this opinion.

In caſe of any damage to bedſteads, ſhutters, windows, benches, tables of rules and regulations, ſtores, &c. the offender, if diſcovered, ſhould be made to pay for the ſame, or be put on ſhort allowance, deprived of meat or otherwiſe puniſhed. If not diſcovered, perhaps it would be right to make the claſs anſwerable to the extent of the amount of damage.

The conveying meſſages from one part of the priſon to another, from cell to cell, and from gallery to gallery, practiſed chiefly in the night, is a flagrant irregularity, but cannot be wholly prevented; when it happens to be diſcovered, all concerned ſhould be puniſhed, in proportion to the degree of offence committed.

This

This prison should as much as possible be restricted to the purpose for which it was intended, and to which it can legally be applied, a House of Correction. The propriety of such restriction was so evident, that by an order of Sessions of the month of December 1799, it was recommended by the bench to the magistrates individually, not to send thither any prisoners for re-examination, nor felons committed for trial; the practice has however continued, and the recommendation not having been attended to, a more positive order should be made, enforced, and extended to prisoners committed for, or adjudged to be guilty of misdemeanors, who should, in conformity to an Act passed in the 24th year of Your Majesty's reign be sent to the sheriff's prisons, and not to the house of correction. The rules and regulations for the government of this prison are not exhibited where prisoners have frequent access, in compliance with the spirit of an Act passed in the 31st year of Your Majesty's reign; at present they are hung up only in the court next the office, but we conceive that they should be hung up in every day-room, or in every court.

Your Majesty having been pleased to require that we should report to your Majesty, whether the duties of visiting magistrates have been substantially executed by the committee mentioned in your Majesty's commission, and whether such visiting magistrates ought not to be appointed; we have to observe, that for several years past such duties have been executed by a committee consisting of forty magistrates named, but in point of fact being an open committee, we find that the appointment of visiting magistrates is positively enjoined by the 5th section of the last-mentioned Act, passed in the 31st year of Your Majesty's reign. And we think that when such an authority is delegated to a select small number of persons, who feel themselves in a responsible situation, the inspection is more likely to be strictly attended to, than when placed in the hands of a considerable body. It would be very beneficial, if the inspections were frequent, and not on fixed days, and if the governor were directed to keep up a constant intercourse with some one or more of the visiting magistrates, and consult them on every matter of consequence and emergency.

Lastly, it is but justice to Mr. Aris, the governor of this prison, to declare, that in our several surveys of it, we heard no complaint whatever against him; that in our opinion he is a man of great humanity; that his general management of the prison, with very few exceptions, is extremely creditable to him, and that he is a most useful servant to the public. Mr. Amos, the storekeeper, taskmaster, and principal assistant of Mr. Aris, and who is entrusted with the greatest part of the detail of conducting the general business of the prison, appeared to us to be extremely attentive and intelligent. Mr. Webbe, the surgeon, seemed likewise to be very assiduous in the discharge of the duties of his office. The salary and gratuity to the chaplain are together £. 50. a year, which we conceive to be inadequate to the duties of his office, as described in the former Report, and with a view to the reformation of the prisoners in this extensive place of confinement. This reformation should be attempted; daily intercourse and communication with prisoners individually can alone obtain this end, and by unremitted perseverance and zeal the attempt might often succeed. No complaints whatever were made to us against the turnkeys or other inferior officers.

All which we most humbly submit to Your Majesty's royal wisdom.

(Signed) W. M. PITT.
CHA^s. SHAW LEFEVRE.
J. FANE.
RICHARD ELLISON.
T. S. GOOCH.
J. S. HARVEY.

APPENDIX.

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APPENDIX.

THOMAS MONRO, doctor of medicine, being ſworn and examined on the 27th day of May 1808, depoſed as follows:—ON the 21ſt day of December laſt, I ſaw a perſon called the Chevalier de Blin, who was then a priſoner in the houſe of correction in Cold Bath Fields. I went then upon the application of Mr. Thomas Webbe, the ſurgeon of the priſon; De Blin was brought to me in the committee-room, and Mr. Webbe was preſent. I had great difficulty in underſtanding him, he ſpeaking bad Engliſh; and the information I obtained was chiefly by the interpretation of Mr. Webbe; but as I underſtood, De Blin ſaid, that his wife and child were confined in the priſon, in a room underneath the room in which he was confined, and that General Dumourier was alſo confined in the priſon. I obſerved an air of melancholy in De Blin's countenance, occaſionally accompanied with tears, but from the converſation I had with him, and the information I had previouſly received from Mr. Webbe, I was doubtful at that time whether De Blin was inſane, or counterfeiting inſanity. De Blin was with me an hour and an half at this time; I did not ſee De Blin again until the 13th of this month, when I viſited him at the requeſt of Mr. Read the magiſtrate: he was again brought to me in the committee-room; Mr. Webbe was preſent, but no other perſon. He continued to have the ſame ideas with reſpect to his wife and child, and General Dumourier being in the priſon; and further, that Monſieur Martelly (a priſoner, who had been committed with him, but had been diſcharged) had been liberated in conſequence of perſonating him (De Blin) and ſo had been pardoned; that Martelly went abroad, but had returned to England, and was then in the habit of ſleeping with his (De Blin's) wife, and various other priſoners were in the ſame habit. That Aris the governor had in his poſſeſſion £. 10,000 property belonging to him, which was depoſited in his hands before witneſſes, namely, The King, the Duke of York, Lord Spencer, Mr. Read and others. From the continuance of the ſymptoms, and what farther I obſerved of his ſtate of mind on my ſecond viſit, and from ſome writings which he delivered to me, I was then of opinion that the ſaid Chevalier De Blin was inſane.

THOMAS MONRO.

JAMES READ, eſq. chief magiſtrate at the office in Bow-ſtreet, in the county of Middleſex, being ſworn and examined the 23d day of June 1808, depoſeth as follows:—I WAS deſired by the under ſecretary of ſtate in the home department to mention a proper priſon for two aliens, whom it was thought neceſſary to confine, and whoſe names were Charles De Blin and Etienne Martelly. I mentioned the Cold Bath Fields Priſon, upon which I was deſired to inform the governor of that priſon to provide ſeparate rooms for them. The priſoners were to have an allowance of one guinea per week each from government, but thereout half a guinea, as I underſtood, was to be paid for the uſe of the ſtate-rooms to Mr. Aris the governor, for which he accounts to the county afterwards. When it was known that they had wives, I was directed to pay each of the wives a guinea a week, and I have paid this allowance of a guinea a week to De Blin's wife to the 22d inſtant; and I paid the allowance of a guinea a week to Martelly's wife, till he was diſcharged. Mr. Webbe the ſurgeon, and Aris the governor, having informed me ſeveral times that De Blin was diſturbing the priſon and acting very incoherently, ſome time in the month of December laſt I ſuggeſted to Mr. Webbe the propriety of calling in Dr. Monro, and authorized him ſo to do, and in conſequence of this Dr. Monro made his firſt viſit. Mr. Webbe reported to me that Dr. Monro and himſelf could trace no particular ſymptoms of inſanity in De Blin, and that they did not think it neceſſary he ſhould be removed from the priſon; but that Dr. Monro thought that ſome perſon ſhould be conſtantly with him. I acted upon that opinion, and gave orders accordingly. I had frequent communications with Mr. Webbe and the governor reſpecting De Blin, but I did not find that Mr. Webbe had altered his opinion reſpecting De Blin's ſtate of mind until the beginning of the month of May laſt. I then requeſted Dr. Monro to viſit De Blin a ſecond time, and to inform me as to his ſtate of mind, and whether it was proper he ſhould continue in the priſon, or be removed to a place appropriated for lunatics. On the 13th May Dr. Monro ſent me a letter, ſtating, that from the converſation he had with De Blin, as well as from the repreſentations made to him of De Blin's conduct ſince his laſt viſit, he was of opinion that De Blin was of inſane mind, and he recommended that if De Blin was removed to an hoſpital, Saint Luke's ſhould be preferred to Bethlem hoſpital, that being in a very bad ſtate of repair for a patient of his deſcription. It was intended to act immediately upon Dr. Monro's opinion, but finding that this Commiſſion had iſſued, it was thought moſt adviſable to let De Blin remain till after the Commiſſioners had met. The wives of De Blin and Martelly applied to me for liberty to ſee their huſbands, and I gave them written orders to the Governor to permit them ſo to do in his preſence.

J. READ.

THOMAS WEBBE, ſurgeon to the ſaid houſe of correction, being ſworn and examined the 28th day of May 1808, depoſeth as follows:—ON the 3d or 4th of May 1807, I firſt ſaw the Chevalier De Blin; he was then confined in the ſtate-room on the ground floor on the weſtern ſide of the paſſage. I have meaſured this room, and find it to be thirteen feet ſix inches long, ſeven

feet ſix inches wide, and eleven feet high; there is a fire-place in it, and a glazed window looking into a paved yard. He then appeared to me to be perfectly ſane in his mind, and in good health of body. I was in the habit of ſeeing him almoſt every day. In this room he was confined until the month of December laſt, but during that time I have frequently ſeen him walking in the yard adjoining, under the care of one of the turnkeys. In the month of September 1807, he began to ſhew ſymptoms of inſanity, by tearing his linen and writing upon it, and talking incoherently with reſpect to his wife and children; as, notwithſtanding they occaſionally came to ſee him, he ſaid they were buried in a room under that in which he was confined, and that he could hear the child cry. At this time he generally ſpoke in French, which language I underſtand; but when he firſt came to the priſon, and for ſome time afterwards, he ſpoke Engliſh very diſtinctly; the incoherence of his converſation continued to increaſe, and one day I ſaw him dirty with ſoot, and was informed that he had got up the chimney. Notwithſtanding his incoherent converſation with reſpect to his wife and child, and his conduct before-mentioned, I doubted whether he was not counterfeiting inſanity; but nevertheleſs, I thought it right to acquaint Mr. Read the magiſtrate with his behaviour, who directed me to call in Doctor Monro, which I did. Dr. Monro attended at the priſon on the 21ſt December laſt, and I ſtated to him all that I had obſerved reſpecting De Blin's conduct and converſation. De Blin was then ſent for to the committee-room; Dr. Monro endeavoured to converſe with him in Engliſh, but De Blin ſpoke chiefly in French, which I interpreted to the doctor. De Blin ſpoke of his wife and children being buried in the priſon, and that general Dumourier and other French officers were confined there, and that Etienne Martelly (an alien committed with him) had perſonated him, and obtained his papers. I then, as upon other occaſions, endeavoured to introduce other ſubjects of converſation, but he would attend to none but thoſe before-mentioned. Dr. Monro agreed with me in opinion that it was very doubtful whether De Blin was inſane or counterfeited, but that if De Blin's incoherency continued for ſome months, there would then be reaſon to conſider him as inſane. Dr. Monro recommended that ſomebody ſhould be with him conſtantly to watch him; I therefore ſent him into the infirmary, (which is a large boarded room on the two pair of ſtairs ſtory, with glazed windows) under the care of a priſoner (confined on a charge of baſtardy) who had been ſeveral years in the habit of attending on inſane perſons. There was no patient in the infirmary at that time, and there have not been more than three together at any time ſince, and thoſe were not afflicted with any infectious diſeaſe. This perſon continued to have the care of De Blin about ten days, and on his leaving De Blin, he was again placed in the ſtate-room by my direction, and was permitted, as before, to go into the yard adjoining; but he having two or three times endeavoured to get over the walls of that yard, which is the outward boundary of the priſon, I therefore thought it prudent to remove him back to the infirmary, the yard belonging to that room being in a ſecure part of the priſon. In the beginning of the preſent month of May, I acquainted Mr. Read that I thought De Blin's incoherency rather increaſed. Dr. Monro viſited De Blin again on the 13th of May, and I was preſent. I ſtated to Dr. Monro what I had obſerved ſince his laſt viſit, and De Blin's converſation having continued incoherent for ſuch a length of time, we were then of opinion that it muſt ariſe from inſanity. I ſee no alteration in De Blin ſince Dr. Monro's laſt viſit. During all the time that De Blin was in the ſtate-room he had a conſtant fire, and alſo candles; and there is a fire in the infirmary every day, and he never was at any time confined in any cell, or any other part of the priſon than the ſtate-room and infirmary before-mentioned. I am quite ſatisfied that De Blin's inſanity has not ariſen from any treatment he has received during his confinement in this priſon. De Blin has been in good health of body ever ſince he has been in the priſon, and it has not in any reſpect been affected by his confinement. THOMAS WEBBE.

Further depoſition:—

Was a priſoner of the name of Richards removed to the debtors room by your order, in October or November laſt?—I have no recollection of having given any order about this man, or any other priſoner in particular; but I remember in going round the priſon in October or November laſt, I thought the room uſed for the vagrants was too crouded, and I wiſhed ſome of the priſoners to be removed. THOMAS WEBBE.

THOMAS ARIS, governor of the ſaid priſon, being ſworn and examined on the 30th day of May 1808, depoſeth as follows:—THE Chevalier de Blin was committed to the Houſe of Correction in Cold Bath Fields on 3d May 1807 as an alien, under a warrant from Lord Hawkeſbury, one of His Majeſty's moſt honourable Privy Council and principal Secretary of State, &c. dated the 30th April, in the 47th year of His Majeſty's reign, and directed to me as the governor of the houſe of correction Cold Bath Fields. In conſequence of verbal directions I received from Mr. Read the magiſtrate, to prevent De Blin from converſing with Etienne Martelly (an alien committed on the ſame day) or any other perſon, I ordered him to be put in the ſtate-room on the ground floor. I received from Mr. Brooke of the Alien-office a guinea per week on the account of De Blin, of which half a guinea was retained by me for the uſe of the ſtate-room, and for finding him with fire and candle, and the remaining half guinea I paid to him. It has been the conſtant practice to take half a guinea per week for the uſe of the ſtate-rooms and for fire and candles, out of the allowance made by government to priſoners confined in the ſtate-rooms. I derive no advantage from this half guinea a week, but account for it to the magiſtrates of the county. Every morning during the time De Blin was confined in the ſtate-room, one of the turnkeys,

turnkeys, or ſome other perſon employed in the priſon, lighted his fire at eight in the morning, and left coals ſufficient to keep up the fire the whole of the day and following night, and a turnkey alſo went to his room three or four times every day to receive his orders, and ſupply him with what he wanted, and my orders were that he ſhould want for nothing; ſcarcely a day paſſed whilſt he was in this room in which I did not ſpeak to him myſelf. After De Blin had been confined about three weeks, I was authorized to permit him to take exerciſe in any part of the priſon where he could not communicate with Etienne Martelly, and in conſequence of that he had liberty to go into the yard adjoining the ſtate-room, having always ſome perſon to watch him. De Blin was removed from the ſtate-room to the infirmary in conſequence of his refractory behaviour, he having ſeveral times attempted to get over the croſs wall which ſeparates the yard from the female priſoners, and having thrown ſome of his linen, clothes, money and proviſions over that wall. Beſides the half guinea a-week in money, the whole priſon allowance in food has been conſtantly offered to him; I underſtand that he has always taken the bread, but that he has ſometimes refuſed the reſt. In the ſtate-room De Blin had a bedſtead, bed, ſheets, blankets and coverlid, a chair and a table. I have no profit or emoluments from the priſon or any of the priſoners therein, except my ſalary. No fees are received but ſuch as are entered in the table of fees allowed by the Court, and hung up in the priſon, and I account with the county for all the fees and room-rent I receive. THOMAS ARIS.

THOMAS AINSLIE VAUGHAN, a turnkey in the ſaid priſon, being ſworn and examined on the 8th day of June 1808, depoſeth as follows:—IN the month of December laſt I was doctor's mate and nurſe of the mens infirmary, and I remember that the Chevalier de Blin was brought into the infirmary on the 22d or 23d of December; the nurſe and the patients are the only perſons who lodge in the infirmary. A man, who as I underſtood had been accuſtomed to the care of inſane perſons, came with De Blin into the infirmary to have the care of him in particular. This man ſtaid there about a fortnight, and was then removed by the governor, in conſequence of my repreſentation to him that I thought that perſon treated De Blin too roughly, and then he was ſolely under my care. He ſaid that he had been aid-de-camp and ſecretary to general Dumourier, and that he had been ſeveral years as an officer in the Engliſh ſervice, and therefore he thought himſelf ill-treated by being confined, and that general Dumourier came to ſee him in the priſon, and on that account was confined there a fortnight: and when theſe ſubjects were introduced, and his wife and children were ſpoke of, he launched out into extravagant converſation and talked very incoherently, and particularly, that his wife and children were cloſely confined in this priſon all day, and ſhut up in a ſtone paſſage at night, where there was no bed or any thing to cover them. He would frequently riſe from his bed in the night and go to the window, and call out to the governor and other perſons whoſe names he knew, to ſave the lives of his wife and children, for that he knew they were in the dark paſſage, and he heard them crying out; in converſation on other ſubjects he would talk rationally, but in the midſt of ſuch converſation would frequently break from it, and ſay ſomething reſpecting the confinement of his wife and children, and large ſums of money being left with the governor for him by French princes and other French perſons of diſtinction. I never ſaw De Blin attempt to do any miſchief to himſelf or any other perſon; on the contrary he was quiet and orderly, and I think there was no danger in leaving him by himſelf. I never ſaw general Dumourier in the priſon, and I believe he never was there. I quitted the place as nurſe in the infirmary on the 18th February 1808, being then appointed one of the turnkeys, but I have ſeen De Blin almoſt every day ſince that time. He appears to me to be much in the ſame ſtate as when he firſt came into the infirmary. I believe that the number of patients during the time that De Blin has been there has not exceeded four at the ſame time, and not one of thoſe had any infectious diſorder. T. A. VAUGHAN.

THERESE FRANCES DE BLIN, wife of the Chevalier Charles de Blin, being ſworn and examined on the 30th day of May 1808, depoſeth as follows:—I HAVE two children by the Chevalier de Blin, both girls; one of them will be four next Auguſt, and the other is about ſixteen months old. He was taken up the 3d or 4th of May 1807, and in conſequence I became very much diſtreſſed. I applied at Lord Hawkeſbury's office for relief, and from ſometime in the month of July 1807, to the preſent time, I have received an allowance from Government of a guinea a-week to maintain me and my children, which has been paid me by Mr. Read the magiſtrate to the 18th inſtant. I receive the allowance whenever I apply for it, which is generally once in a fortnight or three weeks; Mr. Read alſo gives me an order when I deſire it to ſee my huſband in the priſon. It was about three or four months after his commitment before I was permitted to ſee him, and I then ſaw him three times, at about a fortnight from each other. The firſt time I ſaw him after his commitment he talked in a manner I never obſerved him before, ſaying that I and the child were both in the priſon in ſome cloſe yard, and that he could hear the child cry night and day. I knew this could not be true, becauſe the child was always with me. I thought his head was affected, and I mentioned it to Aris the governor; and at one of the times I wiſhed to ſatisfy my huſband in reſpect to the child, and therefore deſired him to aſk the child where ſhe lodged, and the child ſaid, "No. 10, Spring-ſtreet;" he ſaid, "that's a lie, do "not teach her to tell lies; ſhe is in the north yard, and ſtarving, and cries the whole night." I do not know in what room he was confined, as I have always ſeen him in the office. When I ſaw

him

him about three weeks ago, he talked more nonſenſe than before; I cannot make him talk on any other ſubject than his children; he had been occaſionally ill for about two years before he was committed to this priſon, and has been attended by Doctor Heaviſide and Père Eliſée, who lives in Old Bond-ſtreet I ſaw him on Saturday the 28th inſtant, and think him as bad as ever. My huſband came over to England with General Dumourier about five years ago, to whom he was aide-de-camp and ſecretary. I think my huſband is of a warm temper, but I never obſerved any inſanity in his converſation till after he had been committed to this priſon.

THERESE FRANCES DE BLIN.

BENJAMIN HIATT, of Vine-ſtreet, Hatton-Garden, ſcale-maker, being ſworn and examined on the 8th day of June 1808, depoſeth as follows:—I AM ſcale-maker to the Priſon; on the 4th November laſt Mr. Aris the governor gave me orders to repair the large ſcales and weights, and generally, to do what was neceſſary to be done from time to time to all the ſcales and weights uſed in the priſon; until this time I did not repair or inſpect them but when I had a particular order to do ſo. There are four pair of ſcales, one in the kitchen, another large pair under the gate-way, another for the uſe of Amos the ſtorekeeper, and a fourth pair for weighing the oakum. The ſcale-beam and ſcales now in uſe in the kitchen were put up by me in the month of March laſt, by order of Amos the taſk-maſter; the former beam and ſcales in the kitchen had been there about fourteen years, during which time I had repaired them five or ſix times; the old beam and ſcales were not falſe, but from length of time the pin had become ruſty and dull, and it required about half an ounce to turn them; but that gives an advantage of ſo much weight to the perſon taking the article weighed; the preſent ſcales would turn with a drachm. I alſo ſupplied the weights now uſed in the kitchen at the ſame time, which conſiſt of an half-pound weight, a quarter of a pound weight, and a two-ounce weight. I had them examined with the ſtandard at Guildhall, and ſtampt there; and I am ſure they are juſt weights according to the ſtandard. The former weights uſed in the kitchen had been in uſe about two years and an half, but having become rather light, about a grain or two in the ſmall weight, and the larger ones in proportion, I changed them for new ones. I am ſure the deficiency was occaſioned merely by fair wear. The laſt repair which I did to the old ſcales was about two years and an half ago; but ſince the new ſcales have been put up, I have inſpected them once a month, which I think ſufficient; the large beam and ſcales under the gate-way have been there many years. In conſequence of the general directions received from Aris, I now try all the beams once a month, and intend to try the weights twice a year, as I uſually do when I have general directions to keep weights and ſcales in good order. When I tried the great weights in November I found them a little deficient, but not more than would be occaſioned by wear, and there was no appearance of their having been cut, or purpoſely made too light. I alſo tried the weights uſed by Amos the ſtorekeeper, and found that the pound weight uſed by him was more than half an ounce too heavy, and the other weights were rather too light, but not more than would be occaſioned by wear. I found the weight-ſcale uſed by him rather the heavieſt; I have ſupplied him with a new beam to the former ſcales, and new weights which are juſt. Whenever braſs weights become defective they muſt be replaced with new ones, but we uſually ſupply the deficiency of iron weights by pouring on melted lead.

BENJ. HIATT.

WILLIAM BASTIN, one of the cooks of the priſon, being ſworn and examined the eighth day of June 1808, depoſeth as follows:—I HAVE been cook about thirteen months and aſſiſted in the kitchen about nine months before. I am confined under ſentence for aſſaulting an excife officer in the execution of his duty, which will expire on the firſt day of July next. I remember five or ſix gentlemen coming about ſix months ago, and one of them took out a pound weight which he brought with him, and weighed two or three loaves in the kitchen ſcales. Myſelf and the other cook were juſt then going to dinner, and there were our loaves; as well as I can recollect they were not full weight, but they did not want much, and if they had not been weighed, I ſhould not have known they were under weight. A pound weight lay upon the table with ſome other weights, and it had been there ever ſince I was employed in the kitchen, but it never was uſed as a weight for any thing ſent to the priſoners, the only weights then uſed in the kitchen being an half-pound weight and a two-ounce weight. It is the buſineſs of the cook to weigh the meat ſent to the priſoners, and I have done ſo ever ſince I have ſerved in that capacity. The allowance to the priſoners is half a pound, if they are allowed to have it undreſſed, and if it is dreſſed, (in which ſtate it is ſent to them, unleſs there is an order to the contrary) then the allowance is ſix ounces. I find, that upon an average, the meat waſtes about one-fourth in boiling. One of the gentlemen tried the one pound weight with that which he brought, and took it away with him, and I have not ſeen it ſince.

Did any one of the gentlemen aſk you, if the pound weight which lay upon the table was uſed for any purpoſe?—One of the gentlemen aſked me if we made uſe of that weight, and I ſaid, we never uſed it; we uſed nothing but the two ounces and the half pound.

Did you, in fact, ever make uſe of that weight?—I never knew any uſe made of it, except that myſelf and the other cook ſometimes uſed it, with other larger weights, to ſatisfy ourſelves whether the potatoes, which we were allowed to purchaſe on our own account, were fair weight.

WILLIAM BASTIN.

ROBERT PRESCOTT, another of the cooks of the ſaid priſon, being ſworn and examined the eighth day of June 1808, depoſeth as follows:—I HAVE been employed in the kitchen about twenty-two months. I am confined under ſentence of aſſaulting an exciſe officer in the execution of his duty, which will expire on the firſt day of July next; I remember ſome gentlemen coming about the month of November laſt, and one of them (who ſaid he was foreman of the jury) took out of his pocket a pound weight, and weighed two loaves in the kitchen-ſcales with his own weight; theſe loaves were the allowance of myſelf and the other cook; they were light, but how much I cannot tell. Theſe loaves were part of the bread which had been delivered the preceding day about four o'clock, the uſual hour of delivery; they were given to myſelf and partner about eight the ſame morning, and we keep our loaves in the drawer of a table cloſe to the kitchen fire. The gentleman, after he had weighed theſe loaves, took them away with him out of the kitchen; there was a pound weight ſtanding with ſome other larger weights on the table, the gentleman weighed it againſt his own pound weight, ſaid it was too light, and put it into his pocket. The only weights which were then uſed in the kitchen for weighing the meat ſent to the priſoners, were an half-pound weight and a two ounce weight, and now we uſe a half-pound weight, a four ounce weight, and a two ounce weight; but I have ſometimes uſed this pound weight with the larger weights for weighing potatoes purchaſed by ourſelves. ROBERT PRESCOTT.

JOSEPH CUFF, of Whitechapel, eſquire, being ſworn and examined the 13th day of June 1808, depoſeth as follows:—State what you know reſpecting the loaves, ſcales and weights mentioned in the firſt, ſecond and third ſections of Mr. Stephen's petition.—I WAS foreman of the Grand Jury which met in October 1807; Mr. Alexander Stephens was firſt appointed foreman, and continued ſo to be three or four days, but the grand jury finding they could not get through the buſineſs under him, as foreman, an application was made to the court of quarter ſeſſions by the grand jury in a body, to know if they could change their foreman; and upon being informed by the court that they might from time to time elect ſuch foreman as they thought proper, the grand jury returned, and elected me to be foreman. I was one of the grand jury who went with Mr. Stephens, and about ſix others, to the Cold Bath Fields priſon on Tueſday the 3d November 1807, between eleven and twelve. Mr. Stephens went into the kitchen before me, and when I came in I ſaw him examining the ſcales; ſomebody aſked for a loaf, which was produced by one of the ſervants; it was put into the ſcale, and an iron weight with a ring to it was put into the other ſcale, and the bread was the heavieſt; we then looked over the priſon, and afterwards went into the counting-houſe, and I believe I aſked if there was no more bread in the houſe; Aris or his ſon, or Amos, brought one loaf, which was weighed in the kitchen ſcales, and with the ſame weight as the former, and by that weight this loaf was too light; Mr. Stephens then took a braſs weight out of his own pocket, and weighed this loaf, and alſo the before-mentioned iron weight, and both the loaf and iron weight were too light. Mr. Stephens inſiſted that the loaves and the weight ſhould be taken away; I thought it my duty, as foreman, to take the cuſtody of them. I took them to Guildhall, and Mr. Stephens and ſome others of the jury, about four or five, went with me; two of the jury went with me in my carriage; the iron weight was weighed in the preſence of the lord mayor, and it was found too light, but he declined to interfere as a magiſtrate, it belonging to the county, and ſo he diſmiſſed us. We had ſeen Mr. Sheriff Smith, and afterwards met Mr. Sheriff Phillips, and the loaves were weighed ſeparately before him and Mr. Sheriff Smith. I then deſired they might be weighed together, and the two loaves were found to be ſeven-eighths of an ounce ſhort of two pounds, but what the particular deficiency of either loaf was I do not know. I took the loaves home with me, but I do not know what became of the iron weight; to the beſt of my recollection this weight was found on the trial at Guildhall to be one ounce deficient; the loaves appeared to me to be very ſtale, and the weather had been very dry for two days.

Did you take two or three loaves to Guildhall?—Only two to the beſt of my recollection, but I am not certain whether two or three.

Did the ſcales of the priſon appear to you to be falſe or fraudulent in any reſpect?—No; I tried them as I ſhould have done if I had been upon an inqueſt for that purpoſe, and as my own are tried.

State what you know reſpecting the priſoners in the fourth ſection of the ſaid petition, mentioned to be detained in the Cold Bath Fields priſon, for re-examination?—I remember ſeeing a mother and daughter confined in the ſame cell; Mr. Stephens had a great deal of converſation with them, and put a great many queſtions to them; I alſo aſked them ſome queſtions, and they did not make any complaint.

State what you know reſpecting the Chevalier de Blin, mentioned in the fifth ſection of the ſaid petition?—I heard Mr. Stephens ſpeaking French to the foreigner that was confined, but not underſtanding the language, I do not know what paſſed.

State what you know reſpecting a female priſoner having been debauched, as mentioned in the ſixth ſection of the ſaid petition?—I can ſay nothing on this ſubject of my own knowledge.

State what you know reſpecting the debtors ſhut up in the priſon, mentioned in the ſeventh ſection of the ſaid petition?—I remember there were two or three debtors confined in this priſon, but I did not hear them make any complaint.

State what you know reſpecting the manner of conveying priſoners from this priſon to the ſeſſions-houſe of Clerkenwell, mentioned in the eighth ſection of the ſaid petition?—I can ſay nothing upon this ſubject. J. CUFF.

THOMAS CATHERWOOD, of Hoxton, eſquire, being ſworn and examined the thirteenth day of June 1808, depoſeth as follows:—State what you know reſpecting the loaves, ſcales and weights mentioned in the firſt, ſecond and third ſections of Mr. Stephens's petition.

I WAS one of the grand jury, and was preſent with about eight others of the jury, on Tueſday the third November 1807, at weighing ſome loaves which were weighed in the kitchen ſcales, belonging to the priſon. Mr. Stephens, one of the jury, took a loaf, which I believe was upon a dreſſer, and ſaid I will weigh it; he took a pound weight from his pocket, with which he weighed it, and it was found deficient in weight. The cook was aſked if there was any more bread, and he produced another loaf, which was alſo weighed by Mr. Stephens, and that was full weight. A third loaf was alſo produced, but I do not recollect by whom, and I believe that was weighed and found deficient. There was a weight with a ſmall ring on the dreſſer, which Mr. Stephens alſo weighed againſt his own weight, and that was found to be deficient. We then went into the counting-houſe, and informed Aris the governor, that the bread was deficient in weight, and alſo of the pound weight being deficient. Aris ſaid, no deception was intended, and ſhewed us the book in which the weight of the bread is entered daily, and it appeared by the entry of that day that the number of loaves delivered exceeded in weight the ſame number of pounds. I inſpected the book for more than twelve months back, and I did not obſerve that the whole bread delivered had been deficient in weight any one day. Upon the deficiency of the pound weight being mentioned, Aris the ſon ſaid, there was a weight ſtanding about, but it was never uſed, or to that effect. Mr. Stephens ſaid, he would take the loaves and the weight to Guildhall, and have them weighed by the city ſcales. Mr. Cuff ſaid, as he was foreman he would take them, and accordingly put them into his handkerchief, and he alſo took the pound weight. I went with him in his carriage to Guildhall; one loaf was weighed before the Lord Mayor, when he ſaid, "I will weigh no more, "for being out of the city it does not come under my cognizance." On coming from the Lord Mayor we met Mr. Sheriff Phillips, and Mr. Stephens ſaid, "here is my friend, I will aſk him to weigh the loaves." Mr. Stephens did aſk him, and the Sheriff conſented accordingly; they were weighed in the preſence of Mr. Sheriff Phillips, each loaf diſtinctly; one was found deficient three quarters of an ounce and one penny weight, and one of them was full weight. The baker who had ſupplied the loaves ſtated, that it was not his intereſt to have them deficient in weight, as he was paid according to the weight of the whole quantity, and not according to the number. The baker ſaid, that the loaves then weighed were Saturday's bread, and therefore they muſt have loſt ſomething of the weight they had when delivered to the priſon; the baker alſo ſaid, that in ſeparating the loaves from each other, it was impoſſible always to prevent a ſmall part of one ſticking to another. The weight found in the kitchen was alſo weighed, and that was found ſeven-eighths of an ounce deficient. Mr. Smith, the other ſheriff, was preſent part of the time.

Did you hear any perſon in the kitchen ſay that the weight with the ring was a full legal pound weight, or any thing to that effect?—No, to the beſt of my recollection.

State what you know reſpecting the priſoners in the fourth ſection of the ſaid petition mentioned to be detained in the Cold Bath Fields priſon for re-examination.—I remember that in our ſurvey of the priſon, I ſaw two male priſoners in irons; both of them, as I underſtood, were committed for re-examination, and one of them upon ſuſpicion of horſe-ſtealing; I thought they looked pale and emaciated. Mr. Stephens aſked them when they came into the priſon, and whether they had had any thing to eat ſince they came in. They ſaid they had come in the night before, and had had nothing to eat ſince. Mr. Stephens aſked Amos the ſtorekeeper why the men had had nothing to eat; he ſaid they came in after the delivery of the bread the day before, and that there was no allowance of bread made by the magiſtrates for priſoners that came in after the time of the delivery of the bread, until the next delivery. Mr. Stephens obſerving that this was very wrong, Amos ſaid he had nothing to do with it, it was the order of the Magiſtrates.

State what you know reſpecting the Chevalier de Blin, mentioned in the fifth ſection of the ſaid petition.—I heard Mr. Stephens have ſome converſation with a foreigner in French, but I did not underſtand him; he appeared to me to be inſane.

State what you know reſpecting a female priſoner having been debauched, as mentioned in the ſixth ſection of the ſaid petition.—I can ſay nothing to this of my own knowledge.

State what you know reſpecting the debtors ſhut up in the priſon mentioned in the ſeventh ſection of the ſaid petition.—I remember that in our ſurvey we ſaw four debtors confined for ſmall debts; that ſome obſervations were made by Mr. Stephens on the impropriety of ſuch perſons being committed to this priſon; but I do not recollect that the debtors made any complaint.

State what you know reſpecting the manner of conveying priſoners from this priſon to the ſeſſions-houſe at Clerkenwell, mentioned in the eighth ſection of the ſaid petition.—At the cloſe of the ſeſſions in November laſt, I ſaw many priſoners (upwards of one hundred I believe) brought up from the different priſons; ſome of them were vagrants, and ſome of them were diſcharged in conſequence of no bills being found againſt them. Theſe perſons appeared to me to be ſecured by having their wriſts tied together with a rope, two and two, and then all linked together by means of one long rope. I believe this was about five o'clock in the afternoon.

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In our ſurvey of the priſon, I found every part of it clean, and kept in the beſt order, and much ſuperior to any priſon that I have ſeen before. The priſoners ſeemed healthy, and made no complaints that I heard, though, from the queſtions put to them by Mr. Stephens, they had great opportunity of doing ſo. T. CATHERWOOD.

ALEXANDER STEPHENS, eſquire, being ſworn and examined the 7th day of June 1808, depoſeth as follows:—State what you know reſpecting the loaves, ſcales and weights mentioned in the firſt, ſecond and third ſections of your petition.—HAVING been duly elected foreman of the grand jury for the county of Middleſex in October 1807, I reſigned the ſame office in open court a few days after, and with the permiſſion of the chairman, in conſequence of a diſagreement reſpecting three points of law, all of which either the court or its officers had decreed in favour of my judgment, and obtained liberty from the court that the grand jury ſhould proceed to a new choice; I accordingly, on 3d November 1807, entered the Cold Bath Fields priſon with other gentlemen of the grand jury, as a common grand juryman, for the purpoſe of viſitation. I had been induced, by reading the report of His Majeſty's commiſſioners at a former period, to have ſtrong ſuſpicions as to the management of that gaol in a variety of particulars. Knowing that ſixteen ounces of bread, by the rules of the priſon, were to be diſtributed daily to each perſon committed, I obtained a pound weight from a ſcale-maker: on entering the kitchen of the priſon a little after twelve o'clock, I diſcovered three loaves of bread (which did not appear to be harſh or ſtale) lying on the table; theſe were deſired by me and others of the grand jury to be weighed; the firſt loaf weighed by means of a weight produced by certain perſons appertaining to the kitchen, and which they ſaid was correct, proved deficient; the ſecond appeared to be weight, but on ſhifting the weight and loaf from one ſcale to the other, that alſo proved deficient; the third was deficient likewiſe, although apparently in a ſmaller degree. On this I declared publicly, that the whole was fallacious, that the ſcales were fraudulent, and that the bread was deficient in point of quantity. At the ſame time taking out the pound weight which I brought with me, I again weighed the bread, and finally the pound weight appertaining to the gaol, which proved alſo to be deficient. On this one of the grand jurymen propoſed to carry the whole to Guildhall, which was accordingly done, and the three loaves being weighed by the city ſtandard in the preſence of Sir William Leighton, then lord mayor, were found to be groſsly deficient. It being afterwards ſuggeſted it would be more ſatisfactory to weigh each of the loaves ſeparately, the ſame was done in the preſence of Sir Richard Phillips, one of the ſheriffs of London and Middleſex, who took a note of the deficiency, and they were all found to be deficient, and as far as I can now recollect, the deficiency in each of the loaves was from one ounce and a quarter to one ounce and three quarters: the pound weight brought from the priſon, on being tried by the city ſtandard, proved, I believe, ſeven-eighths of an ounce deficient; I never had this priſon weight in my poſſeſſion either before or after the trial at Guildhall.

Did you or any of the Grand Jurymen in your hearing aſk to whom the three loaves found in the kitchen belonged?—Neither myſelf nor any one to my knowledge.

Did you ſee any other loaves except the three which you weighed?—Not one.

Did you aſk to ſee any other loaves?—No.

Upon what table did you find theſe loaves?—Upon a large table in the middle of the kitchen, upon which other commodities ſeemed to be laying, which I cannot particularize.

Did you aſk for a pound weight?—Yes, ſpecifically for a correct and legal pound of ſixteen ounces.

Whom did you aſk for this pound weight?—Of a perſon or perſons who ſeemed to be acting there, but I do not know in what capacity.

Was Aris preſent at this time?—No, I believe not; and I do not know the names or perſons of any who were preſent.

Did you aſk any one of the perſons whether this pound weight ſo produced was uſed in the priſon?—Yes, and was anſwered that it was.

Did you aſk for what purpoſe it was uſed, or put any further queſtion in reſpect to the uſe of it?—I did not.

How long was you in the kitchen examining theſe things?—Perhaps about a quarter of an hour or twenty minutes.

Did you aſk to ſee the loaves of any of the priſoners?—No, for having read the Commiſſioners' report reſpecting the regulations of that gaol, I of courſe knew that they ought to have been diſtributed upwards of two hours before.

Did it not occur to you to aſk to whom theſe three loaves belonged which were lying on the table?—No, I thought that they had been omitted in the previous diſtribution, or that they might have belonged to three priſoners, who had not as yet received them in conſequence of ſuch omiſſion.

Under that impreſſion did you aſk to whom the loaves belonged?—No.

Did you examine any other weights in the priſon except the pound weight?—The pound weight alone.

Did you aſk whether this pound weight was the weight generally uſed in weighing the bread, or whether it was uſed for any other purpoſe?—No, I aſked few queſtions, being ſatisfied as to the fraud.

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Did you enquire of Mr. Aris, or any other perſon, whether theſe three loaves had been weighed, and not delivered to any priſoner on account of deficiency in weight?—No, but I ſtated to Mr. Aris a little after in an adjoining apartment, that the loaves were deficient, and alſo the circumſtances about the pound weight and ſcales; to which he made no other reply than that he had been a baker many years, and urged ſome objections about the aſſize concerning bread; he did not ſay that the loaves were either ſtale, or had been rejected as under weight: this is the whole converſation I had with Aris to the beſt of my recollection.

State what you know reſpecting the priſoners in the fourth ſection of your petition, mentioned to be detained in the Cold Bath Fields for re-examination.—In the courſe of our ſurvey in the priſon, myſelf and the other grand jurymen diſcovered four or five perſons ſhut up in different cells, and excluded, as we underſtood, from all intercourſe with mankind; theſe, as we were told, were priſoners committed for re-examination, being detained upon ſuſpicion, and were confined in cells deſtitute of fire at that inclement ſeaſon of the year, eight feet three inches long by ſix feet three inches wide, or thereabouts; there was a mother and daughter of decent appearance in one cell, and a perſon, ſaid to be her ſon, in another at a conſiderable diſtance. Two of the male priſoners in irons complained that they were ſick, and that having come in on a former day after the uſual diſtribution of bread, they had been very hungry. I had obſerved that the convicts below at the ſame time enjoyed all the comforts of an open and roomy ward, with occaſional acceſs to fire; whereas the re-examination priſoners were debarred not only from any comfort of this kind, as we underſtood, but from all converſe and communication with each other, or any perſons whatſoever but the gaoler. I further obſerved, that by the operation of the blinds or wooden ſhutters, a great current of air was introduced upon the bed of Mrs. Nichols alluded to above; and although they were ſaid to be moveable, a choice only appeared to be left to the priſoner between nearly total darkneſs and the excluſion of freſh air. I did not ſee any fire or fire-place to guard againſt the inclemency of the weather.

What officer of the priſon attended you in your ſurvey?—Amos, the ſon-in-law of Aris the governor, attended us, and alſo one or more of the turnkeys.

Did you receive the information of any particular perſon being committed for re-examination, from Amos or the turnkeys who attended you?—Sometimes from one, ſometimes from the other, and ſometimes from the priſoners.

When you received this information from the priſoners, did Amos or the turnkeys contradict it?—No.

On what floor were theſe priſoners confined?—In cells on the firſt or ſecond floor.

Did you conſider the confinement of the mother and daughter in the ſame cells as a matter of diſtreſs or comfort to them?—Aſſuredly not of diſtreſs.

Did you know the names of any of the priſoners committed for re-examination whom you ſaw?—I do not; except that I heard that the mother and daughter and ſon were of the name of Nichols, and that they have been liberated without a trial.

Having ſaid that you obſerved that two of the priſoners were in irons, did you aſk why they were ſo confined, or who had ordered the irons to be put on?—No; for I conſidered it illegal to commit to cloſe confinement priſoners for re-examination, and a cruelty to ſuperadd irons to perſons ſo confined.

Did you enquire for what theſe perſons in irons were to be re-examined?—One young man had been examined reſpecting the concealment of a bankrupt's effects, and another in reſpect to a horſe, neither of whom I believe have ſince been convicted of any crime.

Did you enquire whether theſe priſoners were at all refractory?—I did not make the enquiry, but was not told that they had been refractory.

You have ſtated that two of the priſoners in irons complained of being ſick, did you aſk why they were not removed to the infirmary?—I did not.

State what you know reſpecting the Chevalier De Blin, mentioned in the fifth ſection of your petition.—During our ſurvey of the priſon before-mentioned, we were addreſſed in French through the key-hole by a perſon ſaid to be the Chevalier De Blin, a foreigner. The door was opened by the turnkey; we were admitted into the apartment, the window of which, as well as I recollect, did not communicate with the external air, but with the paſſage; but of this circumſtance I am not poſitive. On perceiving us he fell upon his knees, and delivered a ſmall bundle of brown paper, which he called a petition. On enquiring of a turnkey concerning his ſituation, we were told he had been deprived of his reaſon while under confinement in this priſon.

Did the turnkey or any one elſe mention that De Blin had been deprived of his reaſon, in conſequence of any ill treatment in the priſon?—No queſtion of that nature was put to my knowledge, nor do I recollect that any thing was ſaid upon that ſubject.

Was the Chevalier De Blin confined in one of thoſe cells deſcribed in your petition, to be eight feet three inches long by ſix feet three inches wide?—He appeared to be in a lonely cell, but to the beſt of my recollection larger in point and ſpace than the cells in which the re-examination priſoners were confined. It appeared to me what is termed a double cell.

Was there any fire-place in this apartment?—I cannot anſwer with any degree of preciſion as to this point.

Was there any glazed windows in that room?—I cannot tell whether the windows were glazed or not.

Was

Was there one or more windows in that room?—To that point I cannot ſpeak poſitively; my mind was entirely occupied with the ſcene before me, having learned from the late Dr. Buchan that ſecluſion led directly to madneſs.

Do you ſpeak French?—Yes; I do ſufficiently well to underſtand De Blin, and anſwer his queſtions. I had but little converſation with him, and that was in French.

From the converſation you had with him, did he appear to you to be ſane or inſane?—His manner, addreſs, and converſation, appeared to be rather extraordinary, more eſpecially that part of it in which he ſaid, that his dear wife was confined in a cell below.

Have you read the petition which he delivered to you?—Yes, it appeared incoherent in the extreme.

Were you refuſed entrance into this apartment?—Not poſitively refuſed entrance, but there was a conſiderable degree of heſitation.

What reaſon was given for ſuch heſitation?—No reaſon was aſked, or given.

Did not the turnkey, before he opened the door, communicate to you that the perſon confined in that apartment was in a deranged ſtate of mind, or to that effect?—Yes, in the manner mentioned before.

State what you know reſpecting a female priſoner having been debauched, as mentioned in the ſixth ſection of your petition?—As to the female ſuppoſed to have been debauched in the priſon, I know nothing but what I learned from Mr. Drummond, one of the grand jury, and I believe alſo a Mr. Holmes, another; who informed me that he had received the information either that day or before from Mr. Robinſon, alſo a member of the grand jury, and who at the time, as I was told, was a parochial officer of Kenſington, where ſhe had been delivered; and thinking this a competent authority, I mentioned it in my petition.

State what you know reſpecting the debtors ſhut up in the priſon, mentioned in the ſeventh ſection of your petition?—On our ſurvey I ſaw ſome debtors ſhut up in this priſon in one of the yards, but which I cannot ſay; the examination and letters from a debtor, mentioned in the ſeventh ſection of my petition to be in my poſſeſſion, I received from a magiſtrate. I afterwards called at the houſe of Thomas Entwiſtle, the ſaid debtor, whom I ſaw, and who in converſation with me confirmed what he had ſtated in the ſaid examination and letters, and particularly that he had been confined with a perſon guilty of an unnatural crime, and a perſon convicted of theft, and that he was not permitted to converſe with his own wife but in the open air, and in the preſence of a turnkey.

State what you know reſpecting the manner of conveying priſoners from this priſon to the ſeſſions-houſe at Clerkenwell, mentioned in the eighth ſection of your petition.—During the time I was ſerving upon the grand jury, one of the grand jury mentioned that ſeveral priſoners had been brought to the ſeſſions-houſe manacled, and were then in the hall, and deſired me to look; I did look, and ſaw ſeveral perſons, but could not diſcern whether they were manacled. I underſtood that theſe were brought up to be diſcharged by proclamation, in conſequence of no bills being found or preſented againſt them by the grand jury; and Amos, the ſon-in-law of Aris told me, that ſix had been taken up from this priſon conducted in the manner before mentioned.

Before I conclude my evidence, I deſire to add the following particulars:—To the general appearance of cleanlineſs in this priſon, and to the comparatively comfortable ſtate of the felons, ſo far as I could diſcern from a ſlight ſurvey, I bear my willing teſtimony; but when I recollect that Aris until of late preſided as governor, with his two ſons and his ſon-in-law in offices of truſt under him; that there are certain apartments let out for hire, of which he appears to have the management; that the diſcipline of ſolitary impriſonment, propoſed by Mr. Howard as a puniſhment for hardened convicts, has been notoriouſly recurred to in this priſon, againſt both the ſpirit and letter of our moſt excellent conſtitution, in reſpect of men as well as women detained merely upon ſuſpicion, and ſolely for the purpoſe of re-examination; when I am reminded by the teſtimony of facts that two grand juries and one traverſe jury have accuſed the keeper of Cold Bath Fields priſon of malverſation; and above all, when I refer to the report of His Majeſty's former commiſſioners in 1800, accuſing Aris of corruption and cruelty, I feel myſelf fully juſtified in having demanded and obtained this enquiry; and I do moſt ſolemnly declare that without the inſtigation, advice, or privity of any one (certain of the grand jury only excepted) and from a love to public juſtice alone, and in the diſcharge of my public duty, I have commenced and conducted this enquiry.

ALEXANDER STEPHENS.

Tueſday, 7 June 1808.

Sir RICHARD PHILLIPS, knight, one of the Sheriffs of London and Middleſex, being ſworn and examined the 10th day of June 1808, depoſeth as follows:—State what you know reſpecting the loaves, ſcales and weights, mentioned in the ſecond and third ſections of Mr. Stephens's petition.—ON Tueſday the 3d November 1807, I was called upon by Mr. Stephens, Mr. Cuff, and ſeveral other gentlemen, whom I underſtood to be of the grand jury for the county of Middleſex, to the number of eight or ten, to procure for them the uſe of the ſtandard weights and ſcales belonging to the city of London, which are kept in Guildhall, by which they might accurately aſcertain the weight of ſome loaves ſtated by them to have been brought from the houſe of correction in Cold Bath Fields, and alſo of a weight ſaid to be in uſe in the ſaid priſon. I accord-

ingly procured the uſe of the ſtandard ſcales from the hall-keeper. Three loaves were produced by one of the gentlemen of the grand jury and weighed ſeparately, all of them were found too light, one of them was an ounce and three-quarters too light, another about an ounce and an half, and the third about half an ounce too light; the pound weight, ſaid to be uſed in the priſon, was alſo produced and weighed, and that was found to be ſeven-eighths of an ounce too light. I made minutes at the time of the weight of the loaves and the pound weight, but I believe I have not preſerved them, as I thought them of no conſequence after I had written to Mr. Mainwaring. Finding that the grand jury had been diſcharged before their inſpection of the priſon, and were conſequently incompetent to make a preſentment of theſe facts, I conſidered it my duty as a public officer to communicate them in a letter to Mr. Mainwaring for the information of the magiſtracy, and accordingly I wrote the letter dated the 13th November 1807, tranſcribed into Mr. Stephens's petition to the Houſe of Commons. The pound weight produced was deſcribed by ſome of the jury as being a weight in common uſe in the houſe of correction. Samuel Aris, the ſon of the governor, and the baker were preſent, and neither they nor any other perſon contradicted that deſcription of it, and the weight was very ſmooth, apparently from frequent handling, and much poliſhed underneath from friction. I conſidered, from all that paſſed, that it was a weight in ordinary uſe in the priſon. I pledged myſelf at the time to the jury to communicate what I had witneſſed to Mr. Mainwaring, as chairman of the quarter ſeſſions.

Did any perſon in particular ſtate or deſcribe to you that the pound weight, produced and tried at Guildhall, was uſed for weighing meat or other proviſions in the houſe of correction?—I do not know that any particular perſon ſo deſcribed it, but it was produced to me as uſed for that purpoſe apparently by the common voice of all the perſons preſent.

Did you or any other perſon aſk whether the weight was uſed in the priſon?—I do not recollect that any ſuch queſtion was aſked; but the weight having been brought as a weight uſed for that purpoſe, no ſuſpicion was entertained by me to the contrary, and therefore I did not aſk any particular queſtion.

How many perſons were preſent?—About ten or twelve perſons altogether, conſiſting of the jury, hall-keeper, Aris's ſon, and the baker.

Did the gentlemen apply to you as a grand jury?—I conſidered them in that capacity till after the examination of the loaves and weight had taken place, when on recommending them to make a preſentment of the facts to the quarter ſeſſions, I was told by themſelves they had been diſcharged.

Did you aſk from what part of the priſon the loaves were taken?—No, I did not, it did not occur to me to be of importance.

Did you put any and what queſtions to the baker?—I did; on remonſtrating with him on the impropriety of delivering bread ſo defective in weight, he ſtated that theſe loaves were ſtale, or had got dry by being expoſed to ſome undue heat ſince they had been in the priſon, and I think he ſaid in the kitchen; I broke open one or two of the loaves in the preſence of the baker, and they did not appear to me to be ſtale loaves, but they were dry on the outſide.

State what you know reſpecting the debtors ſhut up in the priſon, mentioned in the ſeventh ſection of the ſaid petition?—I have received two letters ſigned Thomas Entwiſle, the one dated 22d December 1807, and the other the 29th February 1808, concerning his impriſonment as a debtor in the Cold Bath Fields priſon, under an order from the court of requeſts for the Tower Hamlets, and his treatment in the priſon: the man afterwards called upon me, and verbally confirmed the ſtatements contained in his letters. He alſo delivered to me a petition addreſſed to the Houſe of Commons; all theſe papers I delivered to Mr. Stephens at his requeſt.

In regard to the internal condition of the priſon, I bear willing teſtimony that nothing can be cleaner and apparently in better general order, ſo far as meets the eye upon a view of it. I have no particular knowledge of the details of its internal adminiſtration.

Having concluded my evidence, I feel it my duty to preſent to the commiſſioners a ſtatement of my views relative to the miſappropriation of the houſe of correction, and from which, I conceive, flows all or moſt of the complaints reſpecting it.

R. PHILLIPS.

ALEXANDER RAMSAY ROBINSON, of Kenſington, gentleman, being ſworn and examined the 10th day of June 1808, depoſeth as follows:—

State what you know reſpecting the loaves, ſcales and weights mentioned in the firſt, ſecond and third ſections of Mr. Stephens's petition?—I was one of the grand jury in October 1807, but not one of thoſe who viſited the priſon on the 3d November following. At firſt Mr. Stephens was the foreman, but from his manner of doing the buſineſs as foreman, ſo much more time was taken up than the finding of a bill required, the grand jury applied to the court to know if they could not appoint another foreman, and were informed that they might. Hearing this agitated, Mr. Stephens deſired to give up the office of foreman, and Mr. Cuff was appointed foreman for the reſt of the time.

State what you know reſpecting a female priſoner having been debauched, as mentioned in the ſixth ſection of the ſaid petition?—I was one of the overſeers of the pariſh of Kenſington from Eaſter 1806 to Eaſter 1808. During the time I was in office, Elizabeth Kew Singlewoman applied

plied for ſome relief from the pariſh, to enable her to ſupport a baſtard child, and I believe ſome relief was given her. The woman was taken before a magiſtrate, and charged Thomas Aris, junior, late of Cold Bath Fields, in the county of Middleſex, with being the father of the child: in conſequence of which a warrant, dated 11th May 1807, was granted againſt him, and himſelf, his father and another perſon became ſecurity to the pariſh to indemnify the pariſh concerning the ſaid baſtard child. The paper I now produce is the original warrant, and I brought it from the place where the pariſh papers are depoſited. I alſo produce a book which I had from the ſame place as the warrant before-mentioned, marked "Kenſington Examination Book 1803." (which book contains the examination of paupers from that time to the preſent) and in that is entered the original examination of the ſaid Elizabeth Kew, taken before the reverend Richard Ormerod, one of His Majeſty's juſtices of the peace acting in and for the ſaid county, by which it appears that on the 22d Auguſt 1804, the ſaid Elizabeth Kew was delivered of a female baſtard child (ſoon afterwards baptized at the pariſh church of Kenſington by the name of Heſter Maria Aris) at her father's houſe at Kenſington Gravel Pits, in the pariſh of Saint Mary Abbots, Kenſington, and that the ſaid Thomas Aris, junior, was the father of the ſaid child.

A. RAMSAY ROBINSON.

THOMAS HOLMES, of Sloane-ſtreet, Chelſea, eſquire, being ſworn and examined the 14th day of June 1808, depoſeth as follows:

State what you know reſpecting the loaves, ſcales and weights, mentioned in the firſt, ſecond and third ſections of Mr. Stephens's petition:—I WAS one of the grand jury who came to the Cold Bath Fields priſon on Tueſday the 3d November laſt. We went into the kitchen between twelve and one; there were two loaves on the dreſſer or table, and alſo a pound weight. Mr. Stephens, one of the grand jury, deſired the loaves might be weighed, upon which one of the cooks put the weight into one ſcale, and one of the loaves into the other, and the loaf was too light; the other loaf was weighed, and I think that was rather overweight. Mr. Stephens then tried this kitchen weight with a pound weight which he produced, and the kitchen weight was deficient. We then went into the office to Mr. Aris, whom we had not ſeen before, and as well as I recollect, ſome of the jury deſired ſome other loaves to be brought; only one could be found at this time of the day, which was brought. The three loaves and the kitchen weight were then taken to Guildhall, and weighed in the preſence of Mr. Sheriff Phillips; the loaves were weighed ſeparately, and I remember that one of them was three quarters of an ounce deficient in weight; the weight of the others I do not recollect, except as I have before mentioned. The kitchen weight was then put into the ſcale, and that was found deficient; Samuel Aris and the baker were preſent.

Did you or any other gentleman of the jury, when in the kitchen, aſk for a weight to weigh the loaves?—The weight I have ſpoken of was produced by one of the cooks without any queſtion being aſked, as well as I recollect.

State what you know reſpecting the priſoners in the fourth ſection of the ſaid petition, mentioned to be detained in the Cold Bath Fields priſon for re-examination.—On the ſurvey of the priſon by myſelf and other grand jurymen, we found on the male ſide a lad confined in one of the cells who had an iron on his leg; I aſked him what he was committed for? and he ſaid, on ſuſpicion of horſe-ſtealing, and for re-examination. Amos the ſtore-keeper was preſent, and did not contradict him. In the next cell was a young man, named John Nichols, whom I underſtood to be the ſon of the woman after mentioned, who was alſo committed upon ſuſpicion of felony, and for re-examination, and he was alſo in irons. Nichols complained that he was ill, and he was laying on his bed. On the female ſide we found a mother and daughter of the name of Nichols in one cell; the mother ſaid that they had been put into the cell the night before, and had not any refreſhment till the morning at the uſual hour. I underſtood from the mother, that they were committed for re-examination upon ſuſpicion of having received ſtolen goods. I was ſurprized to ſee two women ſo well dreſſed confined in ſuch a place. It ſtruck me as a hardſhip that the window was not glazed; for there being only a wooden ſhutter the priſoners could not admit light without alſo admitting the outer air, and the window was immediately over the bed.

State what you know reſpecting the chevalier De Blin, mentioned in the fifth ſection of the ſaid Petition?—I went a little way into a room in which a Frenchman was confined. Mr. Stephens converſed with him in French, but not underſtanding that language, I do not know what paſſed. The Frenchman appeared to me to be out of his ſenſes.

State what you know reſpecting the debtors ſhut up in the priſon, mentioned in the ſeventh ſection of the ſaid petition?—I remember ſeeing three or four debtors who were in one of the yards; ſome other priſoners were in the ſame yard, but what they were confined for I do not know.

State what you know reſpecting the manner of conveying priſoners from this priſon to the ſeſſions houſe at Clerkenwell, mentioned in the eighth ſection of the ſaid Petition?—On the laſt day of the ſeſſions, being in attendance as one of the grand jury, I ſaw ſeveral priſoners brought up to be diſcharged, and I underſtood ſome of them came from the Cold Bath Fields priſon; theſe priſoners were ſecured by ropes tied round their arms, but being at a diſtance from them I am unable to ſtate any further particulars. It ſtruck me as a hardſhip that priſoners (the bills againſt whom had been thrown out three or four days) ſhould be detained in priſon until the laſt day of the ſeſſions.

THOMAS HOLMES.

ROBERT

ROBERT GRANT, of Hans-ſquare, Chelſea, gentleman, being ſworn and examined the 13th day of June 1808, depoſeth as follows:

State what you know reſpecting the loaves, ſcales and weights, mentioned in the firſt, ſecond and third ſections of Mr. Stephens's Petition.—I was one of the grand jury who came to the Cold Bath Fields priſon on Tueſday the 3d November 1807. After we had taken a ſurvey of it, which employed us about two hours, we went into the kitchen. Mr. Stephens was one of the grand jurymen who attended, but at this time Mr. Cuff was the foreman, who alſo attended. I ſaw Mr. Stephens take a pound weight from his pocket, but he held it in his hand, and did not immediately produce it. Mr. Stephens took up one loaf and put it into the ſcale, and the weight which belonged to the houſe in the other, and the loaf was conſiderably too light; one of the gentlemen then ſaid, exchange the loaf and the weight in the different ſcales, which was done, and ſtill the loaf was too light. I remember the ſcales were tried without any weight in either of them, and they were not quite even, but the difference was very trifling, and I do not recollect which was the heavieſt; two other loaves were alſo weighed ſeparately with the kitchen weight, and were deficient; this weight was then weighed againſt the weight which Mr. Stephens produced, and it was conſiderably lighter than his weight. Mr. Cuff took the loaves and put them into his handkerchief, and alſo the kitchen weight and Mr. Stephens's, as I underſtood. They were all taken to Guildhall, but I did not go there.

Where were the loaves when you firſt ſaw them?—Two of them were on the kitchen dreſſer, and the third was in the poſſeſſion of one of the men belonging to the priſon, and was taken out of his hands to be weighed.

Who produced the kitchen weight?—I do not know; it was in the ſcale when I firſt ſaw it.

Did you hear any body aſk for, a weight to weigh the loaves?—I did not.

If any weight had been aſked for do you think you ſhould have heard it?—I certainly think ſo, as I was about the fourth or fifth perſon who came into the kitchen.

State what you know reſpecting the priſoners in the fourth ſection of the ſaid Petition, mentioned to be detained in the Cold Bath Fields priſon for re-examination?—I can only ſay that I ſaw ſome men in irons in ſome part of the priſon, but did not take particular notice who they were.

State what you know reſpecting the Chevalier de Blin, mentioned in the fifth ſection of the ſaid petition.—Some time before we came to the room where the foreigner was confined, we heard a great noiſe from a ſingle individual; Mr. Stephens aſked the turnkey who it was that was confined? and was anſwered, that it was a Frenchman. When I came up to the place the door was open, and Mr. Stephens was talking to him in French, but I did not underſtand them. I ſaw the Frenchman deliver a paper into Mr. Stephens's hand. As we made our ſurvey of the priſon, the doors of the cells were opened to us without our aſking for it.

State what you know reſpecting the manner of conveying priſoners from this priſon to the ſeſſions-houſe at Clerkenwell, mentioned in the eighth ſection of the ſaid petition:—Several priſoners, to the number of above one hundred, were brought up the laſt day of ſeſſions to be diſcharged, and it was mentioned by ſome of the jury that they came from the Cold Bath Fields priſon; they walked two and two, and there was a rope run between them, but how they were ſecured to the rope I do not know; my ſight is indifferent, and I was at ſome diſtance from them.

ROBERT GRANT.

JOHN MARSH, of Clerkenwell, baker, being ſworn and examined the 14th day of June 1808, depoſeth as follows:—

Do you ſupply the Cold Bath Fields priſon with bread?—YES, I do; and I have done ſo about fourteen years. The bread I ſupply is what is called houſehold bread. I was appointed by the magiſtrates, and I am paid for the weight of bread delivered according to the aſſize price. My directions from the magiſtrates are, that each loaf ſhall weigh a pound, as near as may be at the time it is to be diſtributed to the priſoners. I deliver the bread to the priſon about three o'clock, and I underſtand it is diſtributed to the priſoners when they unlock the next morning. As the dough will loſe weight in baking, my practice is to weigh off two pounds four ounces and a half of dough, and then it is divided into two equal parts; but this is not done by actual weighing. I have occaſionally weighed ſome of the loaves ſingly before I brought them to the priſon, and I always found them overweight. The bread of each day which I deliver at the priſon is weighed in groſs by the large priſon ſcales, and, being paid according to the weight of the whole, the greater the weight the more advantage to me.

Cannot you weigh the quantity of dough neceſſary for each pound loaf diſtinctly?—Yes, I could, and have done it frequently, but have found on trial that the loaves after being baked differed as much from each other in weight when the dough has been ſeparately weighed, as when the dough for two was weighed together, and afterwards divided by hand; of courſe it requires more time to weigh the dough for each loaf ſeparately than to weigh dough enough for two together, and I find by experience, that the dough runs together in proportion to the length of time it is out of the oven, as well as when it is in the oven. I have been in buſineſs as a baker ever ſince the year 1782, and from my experience, I am ſure there is no other way of making the loaves more even than the manner in which I make them.

Cannot you bake each loaf in a tin or mould?—Yes, I could, but not at the ſame price, as it would

would require much more time to make them, and a much larger ſpace of oven to bake them. The tins muſt be greaſed, and there muſt be a larger allowance for what we call ſinking, that is, the loſs of weight in baking. I think the bread, if baked in tins, would not be ſo hearty or good for thoſe who principally live on bread; it would become tough by the next morning.

How do you know the number of loaves which you are to ſupply to the priſon?—I ſupply the ſame number as the preceding day, unleſs at the time of the delivery, I have an order for any other number, but it frequently happens that after the hour of delivering the bread, I am ſent to for more loaves, and if I have any left I ſend them, and if not, I ſend up a quartern or ſome other ſized loaf.

Were you at Guildhall on Tueſday the 3d of November, when ſome loaves that had been ſupplied to the priſon were weighed?—Samuel Aris called on me to go to Guildhall immediately, and I went with him.

Did Samuel Aris ſay any thing to you of what he wiſhed you ſhould ſay when you came to Guildhall?—No, not a word.

Did you ſee any loaves weighed at Guildhall?—I ſaw three loaves weighed ſeparately before Mr. ſheriff Phillips; one of them was overweight, and two of them were ſhort of weight. The ſheriff aſked if the baker was there, upon which I went to him. I examined the loaves, and found them to be very ſtale, and I am ſure, from the condition of them, that they muſt have been baked on the preceding Saturday. I well remember that the batch of bread on that Saturday was a little heavy, owing to the yeaſt not having properly fermented the dough, and from that circumſtance, I had no doubt on examining theſe three loaves, that they were part of the batch baked that day.

Will not a quantity of dough which has not been well fermented, produce a heavier loaf than an equal weight of dough which has been well fermented?—It would if both were drawn out of the oven at the ſame time, but when the dough has not well fermented, we always bake the loaves more to make them palatable, and therefore there is but little if any difference.

Do you deliver any bread into this priſon on a Sunday?—No, I deliver two batches on a Monday, the one about half paſt ſix in the morning, or as ſoon as it is light, and the other at the uſual hour of three.

When is that batch of bread baked which you deliver early on the Monday morning?—Moſt of it is baked on the preceding Saturday, but if I have not ſufficient, the remainder is baked on Sunday.

Have you any previous knowledge or information of the times when the grand jury, traverſe jury, or magiſtrates, viſit the priſon?—I have no knowledge or information whatever when they come or are expected at the priſon.

Have you ever been deſired by Mr. Aris, or any other perſons belonging to the priſon, to make the loaves better or heavier on any particular day than they generally are?—I never was deſired to do ſo by any perſon.

JA^{s} MARCH.

WILLIAM EDDIS, of Charles-ſtreet, Queen Elms, Chelſea, eſq. being ſworn and examined the 9th day of June 1808, depoſeth as follows:—

State what you know reſpecting the loaves, ſcales and weights mentioned in the firſt, ſecond and third ſections of Mr. Stephens's petition.—I was one of the grand jury who came to Cold Bath Fields priſon on the 3d of November laſt. I did not pay any particular attention to the weighing of the loaves, but I ſaw a weight in the kitchen ſcales which was weighed againſt another weight produced by Mr. Stephens, and Mr. Stephens's weight was the heavieſt. I underſtood that ſome loaves found in the priſon, and this weight, were taken to Guildhall, but I did not go there.

Were you one of the jury who ſurveyed the priſon?—Yes, I was.

Did any thing particular occur to you upon ſuch ſurvey?—I remember there was a mother and daughter in one cell, who ſaid they had been committed the night before. I remember alſo there was a Frenchman, whoſe noiſe we heard long before we came to his place of confinement. Mr. Stephens went into his room and ſpoke to him, and I ſtood at the door. I ſaw four debtors in one of the yards; they were called down to us. I do not recollect whether there were other priſoners there.

State what you know reſpecting the manner of conveying priſoners from this priſon to the ſeſſions-houſe at Clerkenwell, mentioned in the eighth ſection of the ſaid petition.—On the laſt day of the ſeſſion I ſaw a great number of priſoners brought up, in order to be diſcharged. They appeared to me to be faſtened two and two by the wriſts, and a ſmall iron bar or rope running between them. They paſſed by me as I ſtood in the hall of the ſeſſions-houſe.

WM. EDDIS.

FRANCIS DRUMMOND, eſq. of Sloane-ſtreet, Chelſea, being ſworn and examined the 14th day of June 1808, depoſeth as follows:

State what you know reſpecting the loaves, ſcales, and weights, mentioned in the firſt, ſecond, and third ſections of Mr. Stephens's petition?—I was acting foreman of the grand jury at the cloſe of the ſeſſions on the 2d November laſt, and I aſked leave of the court for the grand jury to view the Cold Bath Fields priſon, and the other priſons, if we had time, which was readily

granted. Mr. Cuff was the foreman, but he being obliged to be abſent the early part of the day, had deſired me to act for him, and he did not return until we had finiſhed the buſineſs. The grand jury were diſcharged on the evening of the 2d November, but having obtained this leave to viſit the priſons, we conſidered ourſelves ſtill to be a grand jury for that purpoſe. Accordingly, on Tueſday the 3d November 1807, Mr. Cuff as foreman, myſelf, Mr. Stephens, and other gentlemen of the jury to the number of nine or ten, went to the Cold Bath Fields priſon between eleven and twelve, and took a ſurvey of it. After our ſurvey we went into the kitchen. Mr. Stephens took up a loaf which lay on the table, and ſhewed it to me; we both thought it a ſmall loaf for a pound. Mr. Stephens then ſaid he would weigh it: the beam and ſcales were ready, and a metal weight (but not braſs) were laying by them. Mr. Stephens put the loaf into the broad flat ſcale, took out a ſmall weight that was in the other ſcale, and put in the pound weight; the loaf appeared to be conſiderably ſhort of weight. Mr. Stephens then ſaid, he thought the pound weight was not juſt, and he then produced a braſs pound weight, which he ſaid he had from a ſcalemaker properly adjuſted, and he weighed the kitchen weight againſt it and found it too light; he then changed the weight into the oppoſite ſcales, and found that the ſcale into which the kitchen weight had been firſt put was the lighteſt. As well as I recollect, the difference in the weight of the ſcale was nearly equal to the deficiency of the kitchen weight. We then went into Aris's office, and told him of the deficiency; Aris ſaid it was impoſſible for any baker to make the loaves all of one weight, owing to one being more dried in the oven than another; but that the whole quantity of bread came in generally over weight, which he ſhewed us by his books; and that the deficiency could be of no advantage to him. When we mentioned the deficiency of the pound weight, Aris did not ſay that it was not uſed in the kitchen: the queſtion, whether ſuch weight was uſed or not, was not put to Aris. Mr. Cuff put up the kitchen weight and three loaves, which were taken to Guildhall. I went there with Mr. Stephens. The lord mayor declined to act, becauſe it was a matter which aroſe in the county. I ſaw the loaves weighed in the preſence of Mr. Sheriff Smith and Sir Richard Phillips, in the ſtandard ſcales kept at Guildhall, by the city weights; one of the loaves was found to be deficient nearly two ounces, and upon weighing the whole three loaves together there was a ſmall deficiency; the particular deficiency of the whole I do not recollect, but it was not ſo much as the deficiency of the loaf firſt weighed. The pound weight brought from the kitchen was then weighed, and it was found ſeven-eighths of an ounce deficient. Samuel Aris, the ſon of the governor, was preſent when the kitchen weight was weighed at Guildhall, and he did not then ſay any thing as to its being a weight not uſed in the kitchen. The baker was preſent when the loaves were weighed, and was aſked by Mr. Sheriff Phillips, whether he weighed them ſingly in the dough? and he ſaid, he did not.

State what you know reſpecting the priſoners in the fourth ſection of the ſaid petition, mentioned to be detained in the Cold Bath Fields priſon for re-examination.—In our ſurvey of the priſon we found a lad of about ſeventeen or eighteen in one of the cells, very heavily loaded with an iron on each leg, who told us he had been committed for re-examination on ſuſpicion of horſe-ſtealing; that he had been committed the night before with the irons which he then had on, and he complained that he had had nothing to eat until the proviſions were ſerved out the next morning. I obſerved two windows in the cell; one over the door leading into the paſſage, and the other over the bed; both of them had iron gratings and wooden ſhutters, ſo that the priſoner muſt either be in the dark, or expoſed to the inclemency of the weather. There was another priſoner in a cell near this, a young lad named Nicholls, alſo loaded with irons; he was laying on his bed, and appeared to be ſick; he alſo was committed for re-examination upon ſuſpicion of felony; and, as I underſtood, was ſent in with his irons on. Amos, who attended us, was then aſked, whether there was any female in cloſe confinement; he ſaid there were, and he ſhewed us a cell, in which a mother and daughter of the name of Nicholls were confined: they were well dreſſed and of genteel appearance; the mother, on being aſked for what they were committed, ſaid ſhe did not know, but that ſomebody had ſworn ſomething againſt her, and that they were to be brought up again on the next Thurſday.

State what you know reſpecting the Chevalier de Blin mentioned in the 5th ſection of the ſaid petition?—Before we came to the Frenchman's place of confinement, we heard a perſon calling out loudly in French. Mr. Stephens aſked Amos who it was, and he ſaid it was a Frenchman who had been committed by government, and he believed on ſuſpicion of ſending intelligence to the enemy. Mr. Stephens firſt ſpoke to him through the key-hole of the door; Amos opened the door; he did not object to open the door, but ſaid the priſoner was out of his mind. I ſaw him deliver a paper to Mr. Stephens on his knees, which Amos requeſted Mr. Stephens to take; the priſoner appeared to me to be inſane; I aſked Amos if the priſoner was ſo when he came into the priſon; he ſaid no; but in his opinion, the cloſe and ſolitary confinement was the cauſe of his inſanity.

State what you know reſpecting the debtors ſhut up in the priſon, mentioned in the ſeventh ſection of the ſaid petition?—In our ſurvey of the priſon, I ſaw four debtors confined in one of the yards, who told us they were ſent from the court of requeſts of the Tower Hamlets; there were other priſoners in the ſame yard, and one or two of the debtors complained that one of the other perſons was under ſentence for an attempt to commit an unnatural crime, and others were felons for different offences. In this yard we ſaw the only man who was not clean, and in a good dreſs; he

he appeared filly, his trowſers were very ragged, ſo that his thighs were naked; he had a very dirty ſhirt on, and he ſeemed lately to have been very much ſcabbed. Amos ordered him to be cleaned immediately, and to have new things.

State what you know reſpecting the manner of conveying priſoners from this priſon to the ſeſſion-houſe at Clerkenwell, mentioned in the eighth ſection of the ſaid petition.—After the grand jury had been diſmiſſed, I ſaw a great many priſoners brought up, chained together two and two, with hand-cuffs, with a rope running through to keep them all together. I found they were priſoners againſt whom no bills of indictment had been preſented, or the bills had been thrown out, and who were brought up to be diſcharged; ſix of whom I underſtood came from the Cold Bath Fields priſon.

As to the general ſtate of the priſon, excluſive of the particulars I have before-mentioned, I am deſirous to add that we found it remarkable clean, neat, and in exceeding good order in every part that we ſaw, and that every comfort was adminiſtered to the feelings of the priſoners which the nature of their ſituation would admit of; but my opinion is, that this being a houſe of correction, priſoners committed for re-examination ought not to be ſent to this priſon, and that priſoners committed to this priſon for re-examination ought not to be ironed, or put into ſolitary confinement, or debarred from ſeeing their friends at proper times. FRA^{s} DRUMMOND.

THOMAS ENTWISTLE, of Brick-lane, Spital Fields, weaver, being ſworn and examined the 14th day of June 1808, depoſeth as follows:—

Have you been confined for debt in the Cold Bath Fields priſon?—I have; I was committed there on the 4th November 1807, by the court of requeſts of the Tower Hamlets, for a ſmall ſum, and continued therein until the 13th November, when I was diſcharged by an order of that court; I believe through the proceedings of Eyles, whom I employed as an attorney.

In what part of the priſon were you confined?—I was confined in the vagrants yard, which is the yard for debtors in the day time, and I was lodged in a room called the debtor's room, which is on the ſecond ſtory; it had eight beds and five bedſteads in it; there were five other debtors in the ſame room, and two other perſons named Richard Aſhby and John Small; theſe two perſons had two of the bedſteads, and myſelf and other debtors were obliged to ſleep with our beds on the floor. After ſome time one of the debtors was diſcharged, and then a man named William Richards was put into the debtors room.

Do you know why Aſhby, Small, and Richards were confined?—I only know from their own information. Aſhby ſaid he had been tried at the Old Bailey for robbing his maſter, and ſentenced to a year's impriſonment, and that he had been whipped in the Old Bailey yard. Small ſaid he was ſentenced to twelve months impriſoument, but did not mention for what. While I was in the priſon I never heard Richards ſay what he was committed for, nor any one elſe; but from the ſingular behaviour and appearance of Richards, I was induced to make enquiry about him after I came out of the priſon, and a man named Gardner, who was one of the debtors confined at the ſame time I was, afterwards told me that Richards was confined for an attempt to commit an unnatural crime.

In what reſpect was Richards's appearance or behaviour ſingular?—I cannot ſtate any thing in particular, but it ſtruck me that in general his behaviour was not manly.

Did you ever ſee Richards behave indecently in the priſon?—No, I did not.

During the time that you was in the priſon, did you ever hear it mentioned by any one that Richards was impriſoned for an unnatural crime?—I never did; I believe it was kept a profound ſecret from the other priſoners.

Had you any ſuſpicion of the nature of the offence for which he was impriſoned?—I had no knowledge, nor could form any idea on the ſubject of his impriſonment until after I was out of the priſon.

During your impriſonment, were you debarred from ſeeing your wife?—My wife came to the priſon ſeveral times, and I was admitted to ſee and converſe with her in the front yard next the outer gate; but Ruſſel, who keeps that gate, endeavoured to overhear every thing that paſſed between us.

Had you the liberty of talking with your wife in any part of that yard?—Yes, I had; but it being cold-weather it ſhortened our converſations.

Were you prevented purchaſing beer when you pleaſed?—I once aſked Ruſſel whether he would permit my wife to bring me ſome Golden-lane porter, which ſhe could buy at four-pence half-penny per pot, and he ſaid, No, none would be permitted to be brought in; but I might have beer of the turnkeys.

Did you tell the turnkeys, or any other officer of the priſon beſides Ruſſel, that you wanted to buy beer?—I never aſked any other; I had no opportunity.

Did you obtain any porter, and how?—Upon enquiry amongſt the priſoners the day I came in, which was about nine o'clock in the morning, before I had breakfaſted, I found that if I applied to a man of the name of Evans, one of the priſoners, he would let me have ſome beer; accordingly I did apply to him for half a pint, for which I paid him three halfpence; it was very ordinary drink and not worth half the money, and I did not have any more porter of him.

Did you ever purchaſe beer or porter of any of the turnkeys?—I believe the whole quantity of beer purchaſed by me during the time I was confined was two pints and a half; the half pint I purchaſed

chaſed of Evans; a pint I purchaſed of a man named Small, a priſoner, and I do not know of whom I bought the other pint.

Had you the priſon allowance of bread?—Yes, I had; the firſt loaf was delivered to me about an hour after I came into the priſon, which was nine in the morning.

Did you write any letters to Mr. Sheriff Phillips?—I cannot write myſelf, but I can read writing a little; the two letters to Mr. Sheriff Phillips, dated 22d December 1807 and the 29th February 1808, were written under my directions by a man, a ſtranger, who writes for pay.

Was a petition from you to the Houſe of Commons drawn up?—Yes, it was.

Who wrote the petition?—It was written at my apartments by a gentleman, a ſtranger to me, who ſaid that he came from Mr. Sheriff Phillips, and that he called upon me to queſtion me upon the matter ſtated in my two letters to Mr. Sheriff Phillips; the gentleman did not tell me his name, and I did not aſk, being well convinced from the queſtions he aſked me that he came through the channel of Mr. Sheriff Phillips, and in conſequence of my ſecond letter to him.

Did you, or this gentleman propoſe, that the petition ſhould be preſented to the Houſe of Commons?—This gentleman, after he had heard me, ſaid that he thought it would be proper for me to preſent a petition to the Houſe of Commons, and I was agreeable; I told him, that I wiſhed to leave it to the ſuperior judgment of himſelf and Mr. Sheriff Phillips: the gentleman then ſat down and wrote the petition, and I made my mark to it.

Do you think that the loaves diſtributed to the priſoners, when any perſons are expected to viſit the priſon officially, were better or heavier than on other days?—My opinion is, that the loaves were better in quality, and more in quantity, on the days of official viſitation than on other days.

What is the reaſon of that opinion?—I can give no particular reaſon, but that is my opinion.

How often was there any official viſitation whilſt you were confined?—Only once, and that was by the traverſe jury, which was on the Saturday after my confinement, as well as I can recollect.

Is the paper writing now produced, marked with the letter A. the petition to the Houſe of Commons to which you made your mark?—Yes, it is.

The + mark of
THO. ENTWISTLE.

The following is the copy of the Petition, marked A. referred to by the ſaid Thomas Entwiſtle.

To the Knights, Citizens and Burgeſſes of the Honourable the United Kingdom of Great Britain and Ireland.

The humble Petition of Thomas Entwiſtle, of the pariſh of Chriſt-Church, Spitalfields, ſilk-weaver,

Humbly ſheweth,

THAT your petitioner, on the 4th day of November 1807, being taken in execution for a debt of twenty ſhillings, which, with coſts, amounted to one pound ſeventeen ſhillings and ſeven-pence, inſtead of being carried to Whitechapel priſon in his own neighbourhood, was dragged by Reeves, a beadle, to Cold Bath Fields houſe of correction, at a diſtance from his family and friends.

That during the nine days he was confined there, he was forced to reſide in the ſame room with William Richards, a ſodomite, who had ſtood in the pillory, Richard Aſhby, a thief, whipped at the Old Bailey, and other perſons of the like deſcription, and was obliged to ſleep on the bare floor, while the two criminals mentioned above lay on the bedſteads.

That your petitioner, although a debtor, and not a felon, was only permitted to ſpeak to his own wife in the open air, within ſight and hearing of a turnkey, who made it his buſineſs to liſten to every thing that was uttered.

That inſtead of being permitted to drink the Golden-lane porter at five pence per pot, he was obliged to give ſixpence per pot for a far inferior beer ſold by one of the turnkeys, who told him he muſt drink the liquor ſupplied in the priſon or go without. And your petitioner further ſays, that the pound loaf of bread, diſtributed every morning, appeared better and ſeemed heavier when any perſons viſited the gaol officially, which occurred while he was there.

Your petitioner therefore thinking he has been dealt with contrary to law, and with great cruelty and injuſtice, humbly requeſts your Honourable Houſe to take the premiſes into their conſideration; and, after examining him at your bar, grant ſuch relief as may ſeem expedient.

Witneſs, *Tho. Terrell.*

His
Tho. + *Entwiſtle.*
Mark.

EDWARD RUSSELL, being ſworn and examined the 15th of June 1808, depoſeth as follows:—I keep the outer gate of the priſon, and have done ſo about twelve months; I was appointed by Mr. Aris the governor. Before I had the care of the gate I was one of the turnkeys, and had been ſo nine or ten years.

Do you remember a debtor of the name of Entwiſtle being in the priſon in November laſt?—Yes, I do.

Did he aſk you, that his wife might be at liberty to fetch him ſome porter?—Yes, he did; and I told him it was not the cuſtom of the priſon for liquor of any kind to be brought in by the friends of the priſoners unleſs they were ill, and the doctor gave an order for that purpoſe; a turnkey was preſent at the time, and I told Entwiſtle he might have a pint or a pot from him.

In what way is beer ſupplied to ſuch priſoners as wiſh to purchaſe it?—Such as are allowed to

purchaſe

ward alſo muſt apply to the turnkey, who orders it of the publican; the publican brings it to the lodge, but no further, and then the turnkeys diſtribute it; I have nothing to do with the purchaſe of the porter, my duty is only to ſee that no liquor comes in but through the turnkeys.

EDWARD RUSSELL.

ROBERT FORTESCUE, of Greville-ſtreet, Hatton-garden, being ſworn and examined the 15th of June 1808, depoſeth as follows:—I was a maſter baker for forty-ſix years and upwards, and worked at the buſineſs myſelf, which I have left about five years.

State what you think to be the beſt method of procuring a great number of loaves, to be of equal weight when baked?—It is impoſſible to make the loaves of equal weight when baked; I have frequently tried, by weighing the dough in with the greateſt exactneſs, to make the loaves even, but never could do ſo; in quartern loaves I have found them differ between two and three ounces from each other when taken out of the oven.

Do you think it better to weigh the proper quantity of dough for a pound loaf ſingly, or to weigh the dough for two together, and then ſeparate it by hand?—I think there is more certainty, if the dough for each loaf is weighed ſeparately. The hand is not ſo ſure as the ſcale.

Would it make any difference in price, upon a contract with a baker, whether the dough for each loaf was weighed ſeparately, or the dough for two together?—I think it would not make any difference. If I had the contract, I ſhould weigh the dough ſingly, the loaves being intended for different perſons.

R. FORTESCUE.

JAMES JOHNSTONE, of the Strand, baker, being ſworn and examined the 16th June 1808, depoſeth as follows:—I am a baker, and have been upwards of forty years in buſineſs for myſelf; I have ſeveral times been examined before Committees of the Houſe of Commons on the ſubject of bread, and was ſo in the ſcarce year of 1800.

State what you think to be the beſt method of procuring a great number of loaves, to be of equal weight when baked?—I think the beſt way is to weigh a proper quantity of dough for each loaf ſingly; I weigh the dough for the loaves I make ſeparately.

Do you think this principle as applicable to loaves, which, when baked, ought to weigh one pound, as it is to loaves of a larger ſize?—I think ſo; it is my practice with reſpect to loaves of all ſizes; but if the dough were weighed in with the greateſt exactneſs, the loaves would not come out all of equal weight.

What occaſions this difference?—The heat of the oven: the more the bread is baked the more it loſes in weight, and it is impoſſible to prevent ſome loaves being baked more than others, according to their ſituation in the oven; ſometimes alſo, in dividing the loaves which ſtick to each other when taken out of the oven, it is impoſſible to prevent one loaf from robbing another a little.

Do you recommend tins or moulds to be uſed, as a means of procuring the loaves when baked to be more equal in weight?—I do not, becauſe loaves baked in tins would be cruſty all round, and more likely to be deficient in weight from the heat of the oven.

Could you furniſh loaves at the aſſize price, if you were obliged to bake them in tins?—Certainly not, becauſe they would take up nearly double the ſpace in the oven, and therefore would require more fuel and time to bake the ſame quantity; beſides, I think it would require more dough.

Would it make any difference in price, upon a contract with a baker, whether he was obliged to weigh the dough for each loaf ſeparately, or the dough for two loaves together?—I think not.

JAS. JOHNSTONE.

THOMAS ARIS further depoſeth as follows:

Do you remember Mr. Stephens and the other gentlemen of the grand jury coming to the priſon on Tueſday the 3d November laſt?—Yes, I do; I was not at home when they came; I had been at the ſeſſions-houſe on the buſineſs of my office. On my return, I was told that the grand jury were in the priſon, and that Amos the ſtorekeeper was attending them; I went into my office, and it was more than an hour before I ſaw any of them; they came into the office between one and two, and Mr. Stephens ſaid he had weighed the bread, and it was light. I took down the book in which the weight of the bread is entered daily, and ſhewed Mr. Stephens, and ſuch other gentlemen as choſe to look at it, the entry of the weight of the bread brought in the day before, which was then the laſt entry in the book, the bread that day not having been delivered.

By whom is the bread-book kept?—By my ſon Samuel Aris, who is Clerk, and keeps all the books.

Produce the bread-book.

The witneſs accordingly produced a book, containing an Account of the Bread delivered into the priſon every day from the 1ſt January 1799 to the preſent time, by which it appeared, thaton the 31ſt day of October 1807, 279 loaves were received, the groſs weight of which was 283 pounds, being four pounds overweight; that, on the 1ſt November, 280 loaves were received, the groſs weight of which were 283 pounds, being three pounds overweight; that on the 2d November, 279 loaves were received, the groſs weight of which was 282 pounds, being three pounds overweight; and that on the 3d November, 276 loaves were received, the groſs weight of which was 278 pounds, being two pounds overweight; and it alſo appeared, that the overweight of the

bread received from the 1ſt January 1801 to the 3ſt May laſt, was 2,891 pounds, and the underweight 448 pounds, leaving a balance of 2,443 pounds overweight in favour of the priſoners.

Were any loaves produced to you as being under weight?—Mr. Stephens produced two, which he ſaid were underweight. I enquired where they came from, and was told they belonged to the cooks. I deſired ſome one to enquire if there was any other bread, and one loaf was brought, being all that remained.

Was that loaf weighed?—Not that I know of, but it was taken away by Mr. Cuff, with the other two.

Was any weight ſhewn to you as too light?—Mr. Stephens produced a weight, which he ſaid he had found in the kitchen, and that it was too light; I had ſeen this weight before in the kitchen, and I told Mr. Stephens it was never uſed; that we had no uſe for a pound weight in the kitchen, the only weights uſed there being a half pound weight, and a two-ounce weight.

Do you know why this weight, which Mr. Stephens produced, was in the kitchen?—I remember, that upon a general ſearch of the cells being made in December 1800, when the mutineers were here, this weight was taken away from one of them, named Robert Tweed, with other things, which it was thought improper to let the priſoners have the poſſeſſion of; I gave it to Ballard the cook, and told him to take care of it. Ballard is ſince dead.

Did you ever try this weight?—No, I never did; I believe I have never had it in my hand ſince I delivered it to Ballard.

Did you go to Guildhall?—No, I did not; but I ſent my ſon Samuel Aris, with directions to call on March the baker, and take him with him.

Who ſuperintends the weighing of the bread when delivered into the priſon?—It is the duty of Ruſſel the gatekeeper to do ſo; he puts down the number of loaves, and the weight of them, and from that account my ſon makes the entry in the book; myſelf, my ſon Samuel, and Amos, or one of us, alſo attend at the weighing of the bread, unleſs we are prevented by abſence upon other buſineſs.

Who has the care of the bread after it has been weighed?—It is delivered into the care of Ruſſell, as gatekeeper, who is directed to lock it up in a cupboard provided for that purpoſe; the next morning between ſeven and eight, or as ſoon as it is light, the bread is delivered to the turnkeys to be diſtributed to the priſoners.

Do you ever weigh the loaves diſtinctly?—I never knew it done; I have no directions to do ſo.

How is the baker paid?—The baker brings me his bill ſhortly before every quarter ſeſſions, which contains the number of loaves delivered on each day, and the groſs weight of them. I compare the bill with my book, and certify upon the bill accordingly. I have nothing to do with the payment of the baker, that is done by the magiſtrates.

Under whoſe care are the ſcales and weights belonging to the priſon?—As often as it appeared to me that they wanted examining I ſent to the ſcale-maker for that purpoſe, and gave him directions to put them in good repair, and ſee that the weights were right.

Have you given him any different directions upon the ſubject ſince the viſit of the grand jury?—I have not.

Who ordered the preſent ſcales in the kitchen to be put up?—I believe it was Thomas Amos; I think he told me there were to be new ſcales in the kitchen, but I did not order him to get them.

At the time the grand jury viſited the priſons, were any perſons confined therein under commitments for re-examination?—There were; but Amos, who attended the grand jury, and my ſon Samuel can ſpeak more particularly of this than I can.

Are the priſoners committed for re-examination brought to the priſon with or without irons?—Generally with irons; ſometimes without.

If they are brought without irons, do you order irons to be put on ſuch priſoners?—In general I do not; but when they are committed on ſuſpicion of felony, and I know them to be notorious thieves, I think it would be dangerous to let them be without irons, and therefore I put them on.

Do you keep the irons upon ſuch priſoners as are committed with irons on?—I look at the commitment to ſee the nature of the offence; and if that is not very atrocious, and from converſation with the priſoner I find that he may be ſafely kept without irons, I order them to be taken off. I think the proportion of priſoners brought in ironed, whoſe irons I order to be taken off, is two out of three. When the peace officers take them away from the priſon to be re-examined, they frequently put the irons on again.

What was the name of your ſon againſt whom a charge of baſtardy was made by Elizabeth Key?—His name is Thomas; he is now about twenty-four years old.

Was he ever employed in any office in the priſon?—Never.

Where did he reſide in 1803?—He lived with me at my houſe within the walls of the priſon.

Was Elizabeth Kew ever confined as a priſoner in the houſe of correction?—I was in court when ſentence of a month's impriſonment was paſſed on her. The court deſired me not to let her mix with other convicts, and I have occaſionally received ſimilar directions both before and ſince as to other convicts. In conſequence of this I ordered her to be kept in the lodge of the priſon until I returned, and there I found her; I afterwards converſed with her, and finding her a meek well-

well-behaved woman, I ſent her into my houſe to act as a ſervant, and ſhe continued to do ſo until her time expired, which was on the 10th February 1803.

What became of her afterwards?—After her time had expired, having obſerved her good behaviour, I hired her as a ſervant at the wages of ten pounds or ten guineas, and ſhe lived with me about half a-year, when ſhe left my ſervice at the requeſt of her mother, who ſaid ſhe had another daughter ill, and ſhe could not do without her.

Do you employ the priſoners as ſervants in your houſe?—I generally have one of the female priſoners as my houſehold ſervant if the court have given a direction ſimilar to that I received in favour of Elizabeth Kew, or if I have found amongſt the female priſoners one that appeared to me deſerving to be kept apart from priſoners of the ſame claſs. I have no doubt the magiſtrates know that I do ſo.

Did you become ſecurity for your ſon to the pariſh of Kenſington?—Yes, I did, with another perſon, ſoon after the child was ſworn to, which was in the month of Auguſt 1806. The child was then two years old.

What communication are the debtors confined in this priſon permitted to have with their friends?—They are permitted to ſee their friends at all hours of the day, without any order from a magiſtrate. The debtors, upon being enquired for, are permitted to come into the yards next the lodge, and their friends have cloſe acceſs to them. The precaution taken to keep felons at a proper diſtance from thoſe who viſit them is never uſed with reſpect to debtors.

Did a perſon by the name of Richards ſleep in the debtors room in November 1807?—Not by my order or knowledge.

In what manner do you convey the priſoners to the ſeſſions-houſe?—Towards the cloſe of the ſeſſions, after the grand jury is diſcharged, I receive a verbal order from the court to bring up thoſe priſoners againſt whom bills have not been found. The number of them varies very much. I have known only five or ſix brought up. I have had as many as fifty. At the laſt ſeſſions there were twenty-eight. If the number be ſmall, or they are principally females, ſo that there is no danger of an eſcape, they are not confined in any way; but when they are numerous, they are tied two and two together by the wriſts by a ſtring, and a rope runs through the middle of them to keep them together. When they arrive at the ſeſſions-houſe the ſtrings are immediately taken off, and they are brought before the magiſtrates, as called for, to be diſcharged.

Is this the manner in which the priſoners have always been conveyed to the ſeſſions-houſe?—I never knew them conveyed in any other manner.

Is any notice given to you when a bill is not found by the grand jury againſt a priſoner?—I always attend in court when the grand jury return their bills, in order that I may have the priſoners in my cuſtody ready for trial when called for, I therefore frequently hear bills againſt priſoners in my cuſtody returned Not true bills, by the grand jury; but I conceive I have no authority to diſcharge ſuch priſoners in conſequence of the bills not being found; and I never knew them diſcharged but in the manner I have before mentioned. I have ſometimes known a bill for felony preferred againſt a priſoner after the bill for the offence upon which he was committed had been thrown out.

THO. ARIS.

Further depoſition of EDWARD RUSSELL.

Have you the care of the bread?—Yes; it is delivered by the baker about three o'clock in the afternoon, except on Sundays; and I keep it in a cupboard in the lodge until the next morning; and about ſeven o'clock, or as ſoon after as it is light, I deliver the loaves to the different turnkeys, who carry them to the priſoners. On Monday there are two deliveries of bread; one in the morning at ſeven, or as ſoon after as it is light, and the other at the uſual hour of three.

Do you attend the weighing of it when delivered into the priſon?—I do; and if the governor or his ſon Samuel, be not preſent at the time, I take an account of the number of loaves and the weight of the whole on a ſlate, and deliver the account to Samuel Aris, to be entered in the bread-book.

EDWARD RUSSELL.

SAMUEL ARIS, being ſworn and examined, depoſeth as follows:

Have you any office in this priſon?—I am the eldeſt ſon of Thomas Aris, the governor. I am clerk in the office, and my duty is to keep the books in the office; I am alſo clerk of the chapel.

When and by whom were you appointed?—I was appointed to both ſituations by the committee of magiſtrates nominated to inſpect the general concerns of the priſon. I was appointed clerk in the office in October 1802, and clerk of the chapel the 3rd October 1804. I am paid a ſalary by the county, and have no fees or other advantages from my offices, except my ſalary.

State what you know reſpecting the loaves, ſcales and weights, mentioned in the firſt, ſecond and third ſections of Mr. Stephens's petition?—I remember ſome of the gentlemen of the grand jury came into my office where I was, with two loaves, which they ſaid were too light. My father produced the bread book, and ſhewed the jury the entry of the preceding day, which was then the laſt entry in the book. My father ſent me to Ruſſell the gatekeeper, who has the care of the bread, to fetch any other loaf which might happen to be left, and I brought one, which was all he had, and ſo I told the jury. Mr. Stephens brought in a pound weight, which he ſaid he took out of the kitchen, and that it was too light. I heard my father tell Mr. Stephens that a pound

weight

weight was never uſed in the kitchen, there was no occaſion for it. That the only weights uſed there were a half-pound weight and a two ounce weight. I heard my father alſo tell Mr Stephens and the other gentlemen of the jury, that the weight Mr. Stephens had brought from the kitchen was a weight taken ſeveral years ago from one of the mutineers, and that he (my father) gave it to Ballard the cook, and deſired him to take care of it. I went to Guildhall, and took March the baker with me. We were ordered to wait at the door, and after a little time were called into the room. I ſaw the bread weighed; the loaf which I fetched from Ruſſell was over weight, and the other two were under weight. I ſhewed the bread-book to Sir Richard Phillips the ſheriff, and pointed out the entry therein, by which it appeared that the whole batch of the day before was two pounds overweight; and I repeated to him what my father had ſaid in the office, as to the weight found in the kitchen being taken from a mutineer and delivered over to Ballard the cook. I alſo told the ſheriff that a pound weight was not uſed in the kitchen, and that we only uſed a half pound weight and a two ounce weight.

How do you know that the loaf which you mentioned to be overweight was that which you fetched from Ruſſell?—Becauſe it was not ſo ſtale as the other two, and not ſo much baked.

Do you remember at any time to have ſeen in the kitchen the weight which Mr. Stephens produced, and ſaid he brought it from it?—I have; but not until after that Ballard had left his ſituation as cook, which he did on account of ill health, and he is ſince dead.

How do you know the number of loaves delivered, and their weight, ſo as to make the entry in the bread book?—I generally ſee the bread weighed, but if I happen to be abſent, I take the account from Ruſſell, whoſe duty it is to inſpect the weighing, and collect the number of loaves.

Who has had the care of the ſcales and weights?—Attending, as I do, almoſt every day the weighing of the bread, I frequently tried the great ſcales in the gateway, in which the bread is weighed, and whenever I have found them out of order, I report it to the governor, and the ſcalemaker was ſent for to do what was neceſſary to them. The kitchen ſcales were under the care of the cook.

State what you know reſpecting the priſoners, in the fourth ſection of the ſaid petition mentioned to be detained in the Cold Bath Fields for re-examination?—I find, on reference to the commitment-book which is kept by me, and alſo by the ſeveral warrants of commitment, that on 3d November 1807, there were four males and four females in the houſe of correction, committed on ſuſpicion of felony, and for re-examination; they were confined in the cells appropriated for the reception of priſoners of that deſcription; one of them was named Richard Nicholls, and I believe he had irons on, but whether the others had I cannot recollect. Nicholls never made any complaint to me that he was ſick; if he had, I ſhould have ſent for the doctor immediately. If a priſoner committed for re-examination be brought to the priſon without irons, we never put them on unleſs he is known to be an old offender, and likely to be dangerous in priſon.

[This witneſs, on being interrogated on the ſubject of the Chevalier de Blin, could give no other particulars than ſuch as are ſtated in the examination of his father and Thomas Amos.]

Do you remember a woman of the name of Elizabeth Kew being in priſon?—Yes, I do; ſhe was a month in this houſe of correction under the ſentence of the court of quarter ſeſſions, which expired the 10th of February 1803, as appears to me by an entry in the conviction-book.

Was ſhe ever in the ſervice of your father the governor?—She never was put among the other priſoners, but was taken into the governor's houſe, and did the work of a ſervant there during the time of her ſentence. She behaved herſelf orderly, and after her time was out, my father hired her as a ſervant at the wages of ten guineas; but I cannot recollect how long ſhe ſtaid. My apartments are ſeparate from the governor's houſe, and I did not know the woman was gone till ſometime afterwards.

In what manner are debtors confined in this priſon permitted to ſee their friends?—Their friends have free acceſs to them without any order from the magiſtrates. Our method is to ſend for the debtors into the court yards, in front of the office, and there they are permitted to converſe with their friends, without any controul from any perſon whatever. The friends of the debtors may ſee them at any time between the hours of unlocking in the morning and locking up in the evening. The hours of unlocking are ſix in the morning from Lady-day to Michaelmas, and from Michaelmas to Lady-day at ſeven, or as ſoon after as it is light, and the hour of locking up in the evening is at eight o'clock, or as ſoon as it is dark.

Do you remember a debtor by the name of Entwiſtle being confined there?—I do; he was confined in the month of November 1807, and put into a room then uſed for the debtors.

What other priſoners were then in that room?—I do not know that any other than debtors were confined there. Roger Bridgeman was the turnkey of that department.

Has any alteration been made, and when, in the place of the debtors confinement?—At the time Entwiſtle was there, the debtors were confined in a room on the two pair ſtory of the north-eaſt angle; the debtors room is now on the one pair ſtory on the eaſt ſide near the well; the debtors formerly had this room, but were removed from it to the room on the two pair ſtory, it being wanted for the uſe of a French alien, who was committed long before the month of November 1807, and was diſcharged on the 19th day of March 1808, our orders being to keep him ſeparate from the other priſoners.

Why was the French alien put into this room?—It was unoccupied at the time, there being no debtors in the priſon, the Frenchman had been confined in a ſtate-room on the two-pair ſtory, and had

had the liberty of walking in the court-yard which adjoins to the yard belonging to the female vagrants. He behaved improperly by throwing money and proviſions to them over the wall, and therefore he was removed to what was then the debtors room, the yard belonging to that room being in another part of the priſon. SAMUEL ARIS.

ROGER BRIDGEMAN, one of the turnkeys of the priſon, being ſworn and examined, depoſeth as follows:—

Are you one of the turnkeys in this priſon, and were you ſo in the month of November laſt?—Yes, I am; in November laſt I had the care of the felons of the third claſs, the vagrants and the debtors; I was aſſiſted by another turnkey who has ſince left the priſon.

In what part of the priſon were the debtors confined in November laſt?—At that time they had a room on the two pair of ſtairs ſtory on the north eaſt corner of the priſon.

How many beds does that room contain?—Five.

Do you remember a debtor of the name of Entwiſtle being in that room?—Yes, I do.

Were any perſons beſides debtors put into that room during the time Entwiſtle was there?—There were two or three perſons, but I do not remember whether they were felons or vagrants; they were old men or not in good health, and Mr. Webbe the ſurgeon ordered me to put them there.

Was a priſoner named Richards put into that room?—Richards was put into that room, but the particular time when I do not remember. He had before been in the north front yard, which belongs to the priſoners for miſdemeanors, and was ordered by Mr. Webbe to be removed from thence, and put into the debtors room. I well remember that at the time Richards was removed to this room there was only one debtor in it.

What yard had the debtors at that time?—They had the uſe of the yard at the north-eaſt corner, which belongs to the vagrants.

Was any other claſs of priſoners put into that yard?—It was the vagrants yard; the room I have mentioned, as being the place of confinement for the debtors at night, belonged to this yard.

During the time that Entwiſtle was confined, how many priſoners ſlept in this room?—Only five, never more to my knowledge.

Do you remember that at any time during Entwiſtle's impriſonment, any of the priſoners in that room ſlept with their beds on the floor?—Myſelf or my partner went up into this room every night, and I never ſaw any bed on the floor; if any bed was put upon the floor, it was without my knowledge. The door of this room was not locked at night, in order that the old or ſick men might, if neceſſary, get at the nurſe of that ward, who ſlept in the vagrants room, which is on the one pair ſtory under the debtors room. The door of the vagrants room was not locked for the ſame reaſon, ſo that the vagrants could get into the debtors room; but the debtors were always told that the vagrants put into the room below had no right to come into their (the debtors) room, and that they might keep them out if they pleaſed.

In what part of the priſon is the debtors room at this time?—It is on the eaſt ſide on the one pair ſtory, near the well; this room was uſed for debtors, until ſomething more than a year ago, when there being no debtors in the priſon, and a room being wanted for a French alien, he was put into this room, and when he went away from the priſon this room was again appropriated to the debtors. ROGER BRIDGEMAN.

THOMAS AMOS being ſworn and examined, depoſeth as follows:—

Do you hold any office in the houſe of correction in Cold Bath Fields?—I am ſtorekeeper, and have been ſo about ſix or ſeven years; I was appointed to that office by Thomas Aris, the governor. I am alſo taſkmaſter, and was appointed to that office by the committee of magiſtrates appointed to ſuperintend the priſon.

Are you any way related to Thomas Aris, the governor?—I married one of his daughters ſome time before I had any ſituation in the priſon.

State what you know reſpecting the loaves, ſcales and weights mentioned in the firſt, ſecond and third ſections of Mr. Stephens's petition?—I remember Mr. Stephens, Mr. Cuff, and ſix or ſeven other gentlemen of the grand jury, coming to view the houſe of correction on the 3d November 1807. The governor was not at home at the time, but I attended them throughout the priſon. After taking their ſurvey they went into the kitchen; there were two loaves on the table which belonged to the cooks, who were juſt going to dinner; Mr. Stephens weighed them both in the kitchen ſcales by a weight which he brought with him, and one of them was too light, but I do not recollect whether the other was light or not. I told him we did not weigh the loaves ſingly, but the whole of them together; he alſo tried a weight which was upon the table by his own weight, and that was too light; I told him that no uſe was made of a pound weight in the kitchen, and that I did not know how it came there. After a great deal of converſation, this weight, the two loaves and another loaf (which was had out of the bread cupboard) were taken by Mr. Cuff to Guildhall, but I did not go there.

Under whoſe care were the kitchen ſcales?—Under the care of the ſenior cook; whenever he informed me that the ſcales were out of order, or I obſerved them to be ſo, I told the governor of it, and the ſcale-maker was ſent for to put them right.

Have there been new weights and ſcales put up in the kitchen ſince November laſt, and by whoſe order?—Some time in January or February laſt, I was ſent for to the ſeſſions houſe, and aſked by ſome of the magiſtrates if any thing was the matter with the ſcales and weights of the priſon. I told them, not to my knowledge, but that the ſcales had been in uſe for ſome years; they deſired me to order the ſcalemaker to inſpect them, and if it was neceſſary to have new ones. I applied to Platt the ſcalemaker, and he adviſed new ſcales; upon which I gave him orders to make them. He put up the new ones in the kitchen, and brought new weights ſome time in the month of March, to the beſt of my recollection.

At the time the loaves were weighed by Mr. Stephens in the kitchen ſcales, were they falſe or fraudulent?—I do not know or believe that theſe ſcales were then in any reſpect falſe or fraudulent.

If any part of the meat which has been delivered to the cooks ſhould remain after the priſoners have been ſupplied, what becomes of it?—It is given to the turnkeys, for the uſe of ſuch priſoners as are not ſupplied with food by their friends; neither the cooks, nor any other officer in the priſon, have an advantage from it.

State what you know reſpecting the priſoners, in the fourth ſection of the ſaid petition, mentioned to be detained in the Cold Bath Fields Priſon for re-examination?—I ſhewed the gentlemen of the grand jury every cell in the priſon. In the cells appropriated to priſoners committed for re-examination, I remember there were then three or four males and three or four females; the females were certainly not ironed, but I do not recollect whether theſe male priſoners had irons on or not; in general, the male priſoners committed for re-examination upon a charge of felony, are brought to the priſon with irons on their legs; ſometimes we take them off; it depends very much on the characters of the priſoners, as received from the police officers, or coming within our own knowledge.

Were any of theſe priſoners ſick at the time?—Not that I know of; none of them had complained to me that they were ſick.

State what you know reſpecting the Chevalier De Blin, mentioned in the fifth ſection of the ſaid petition?—The Chevalier De Blin was originally put into a ſtate room on the ground floor, and was there at the time Mr. Stephens and other gentlemen of the grand jury made their ſurvey. There was a bed, bedding and ſheets, and a table and a chair in the room for his uſe. There is a fire-place in the room, and he had a fire, which was lighted every morning, and his bed made and his room cleaned every day; there are two glazed windows in this room, which look into the north yard. When the grand jury came to this room, I ordered the turnkey to unlock the door; Mr. Stephens and others of the jury went in, and Mr. Stephens had ſome converſation with De Blin. I ſaw De Blin put ſome papers into the hands of Mr. Stephens, which I aſked him to deliver to me, but he refuſed to do ſo.

Why did you aſk Mr. Stephens for theſe papers?—I aſked for them, becauſe the orders were that De Blin ſhould not have any communication out of the priſon, without the knowledge of the governor.

Did you or the turnkey make any objections to unlocking the door of the room in which De Blin was confined?—Certainly not; I remember that when we were in the yard belonging to the priſoners confined for miſdemeanors, the turnkey aſked me if he was to open the Frenchman's door, and I told him to do ſo. I am ſure the door was unlocked without any requeſt from Mr. Stephens, or any other gentlemen of the grand jury.

Was any queſtion aſked you reſpecting the inſanity of De Blin?—One of the grand jury aſked me if De Blin had always been ſo, or to that effect; and I anſwered, that I thought he was not quite himſelf, but that ſome perſons were of a different opinion. When De Blin firſt came in, I obſerved he was a high ſpirited man, and not likely to bear confinement; afterwards I thought him inſane, and he was removed from his room to the infirmary, upon my repreſentation of the ſtate of his mind; ſometimes he would not eat for a whole day, and when permitted to walk in the yard adjoining his room, he would throw his money, proviſions, and clothes over the wall which ſeparates that yard from the womens ſide.

Do you remember a woman named Elizabeth Kew being in the priſon?—I did not know that any ſuch perſon had been committed to the priſon, until ſome time in March laſt, when I read of Mr. Stephens's petition having been preſented to the houſe of commons.

Do you know Thomas Aris, one of the ſons of the governor?—I do.

Has he ever had any office in the priſon?—Never, during the ſix or ſeven years I have known the priſon; when I firſt knew him he was an apprentice, and no way employed in the priſon.

In what way are the debtors permitted to ſee their friends?—The friends of debtors have free acceſs to them without any order from the magiſtrates, at any hour between the unlocking in the morning and locking up at night; they ſee their friends in one of the court-yards.

Was a priſoner named Richards put into the debtors room in or about the month of November laſt?—Not by my order or to my knowledge; he was then in the vagrants room on the one pair ſtory, which is under the room then uſed for the debtors. When I firſt ſaw him in the vagrants room I aſked him how he came there, and he told me that he had been ill uſed by the priſoners in the yard where he was firſt confined, which was that belonging to the priſoners for miſdemeanors. I told him I ſhould ſend him back, but he begged of me to let him remain where he was, which I conſented to.

In

In what manner are the prisoners conveyed who are brought up to the sessions-house at the close of the sessions?—In general I do not attend them, but I have seen them conveyed sometimes without being confined in any way, and sometimes confined with a cord; that depends very much on their numbers and characters.

T. AMOS.

(Copy.)

Gentlemen, Whitehall, 26th April 1809.

THE Commissioners appointed by commission under the great seal, to enquire into the state and management of His Majesty's prison called The House of Correction in Cold Bath Fields, under your direction, having made their Report to His Majesty, and submitted to His Majesty that the following regulations should be adopted, I have received His Majesty's commands to recommend to you that the same be carried into execution with as little delay as possible, viz. that the loaves given to the prisoners should be weighed separately when delivered into the prison, and that all such as weigh less than fifteen ounces or more than seventeen ounces should be returned to the baker, and that he should be bound by his contract to take them back and to supply others between these weights.

That the governor of the prison be directed to make an entry in his journal of all prisoners who are brought to the prison with irons, and whether the irons were continued on or taken off.

That neither vagrants or convicts under any circumstances be mixed with debtors. And to prevent the possibility of some prisoners remaining without eating for eighteen or nineteen hours, which according to the present times of delivery of food it is stated may be the case, that the dinner hour be altered to two o'clock instead of twelve. That the rules and regulations for the government of the prison, in compliance with the spirit of the Act of the thirty-first of His present Majesty, cap. 46, be hung up in every day room or in every court. That in compliance with the fifth section of the Act of the 31st year of His present Majesty, visiting magistrates be appointed at every general or quarter sessions, and that the governor be directed to keep up a constant intercourse with some one or more of the visiting magistrates, and consult them on every matter of consequence or emergency.

I have further to signify to you that the said Commissioners having stated in their Report, that in all prisons on the same construction it has been deemed desirable that no prisoner should sleep in a cell on the ground floor, but that it is less objectionable in this prison than in many others, the ground floor cells being built on arches, and being raised three steps above the level of the ground: that the number of the cells on the upper stories (exclusive of 16 dark cells used for refractory prisoners) is 155, providing accommodation for an equal number of persons, and on the ground floor there are 50 single cells, 12 double cells, and one triple cell, providing for 77 more persons. That the infirmaries and foul wards can receive 28 persons, and the rented rooms five more, and the vagrants apartments, the nursery, the school, &c. can receive 72 more, making in the whole accommodation for 337 persons. That the prison, considered only as a house of correction for the county of Middlesex, is by no means too extensive, and the accommodation for 77 persons on the ground floor should not be lost if these ground floor cells are not unhealthy. That it would very essentially tend to render them more healthy, if the doors of these cells were altered, and made to open into the passages in the same manner as those on the upper stories, instead of opening into the court as they do at present. That the advantages which would result from this alteration are many and important; the cells would be warm and less damp, and the cross ventilation would be as perfect as at present. That access to any sleeping cells in the day time could (by the locking of one door in each court) be wholly prevented, a regulation very essential in any place of confinement, as no prisoner should

remain

remain in the day in the cell in which he ſleeps at night: eſcapes in the night would alſo be more difficult, for a perſon would have two or three doors to force inſtead of one before he could even get into any court, and the practice of ſeveral priſoners crowding together in wet weather in the ground floor cells would ceaſe, which in ſuch weather muſt always cauſe them to be dirty and damp, the air in them contaminated, and likely to generate putridity and typhus fevers; and much evil would likewiſe be avoided ariſing from the cabals of priſoners who collect themſelves together in theſe cells, and being leſs expoſed to obſervation than in the open courts, converſe on all ſorts of miſchief, uſe the moſt depraved language, and have the opportunities of contaminating the morals of thoſe younger offenders who have not yet arrived at ſo great a degree of profligacy as themſelves; that this improvement can be obtained at a very inconſiderable expence; the windows over the preſent doors would require no alteration, theſe doors could be placed in the back walls of each cell; the bricks taken down to make the openings for doors, would ſupply at leaſt half the materials requiſite to wall up the preſent door-ways, and the whole expence would be the labour and the providing the ſmall quantity of bricks.

That the claſſing and ſubdividing of priſoners appears not to have been ſufficiently attended to in the conſtruction and appropriation of the ſeveral parts of the priſon, though an object of the firſt importance, and that there is ſtill a great want of ſeparation eſpecially with regard to females. Female apprentices and female debtors are not ſo well provided for as males of the ſame deſcription, and there is no poſitive place allotted to them where they can have acceſs to a fire in cold or damp weather, whence they have been uſually placed with female convicts or vagrants, which is obviouſly highly improper. That in all apartments in which work is to be performed, the glazing of windows ſhould not be omitted, and the ſaſhes ſhould be ſo conſtructed as to be capable of being fixed to any degree of aperture, and ſhould likewiſe be made of bull's-eye glaſs.

That a greater ſeparation of claſſes might be obtained at an inconſiderable expence, by converting ſuch a part of each arcade as might be about equal to four cells into a day room, for the reſpective interior courts, that it would only be neceſſary to build an end wall to each day room at the diſtance propoſed, and a low wall about three feet and a half high in three of the arches, and to place a door on the fourth, from the height of three feet and a half to the ſpring of the arch. Wooden ſhutters would be ſufficient to be ſhut in bad weather and kept open at other times, and to place an iron bar at the height of the ſpring of the arch, and a window over each; a ſmall iron ſtove ſhould be put in the centre of theſe day rooms, and holes for a croſs ventilation in the back walls, and that benches ſhould be placed in theſe day rooms. That accommodation might then be eaſily contrived in the eight exterior wings for ſeveral additional claſſes who are not very numerous, but who can hardly be ſaid to have any determined place allotted to them, ſuch as idle apprentices, both males and females King's evidences and perſons committed for re-examination, female debtors and young offenders; and there are occaſionally ſome notorious characters whom it may be deſirable to keep totally ſeparate from every other deſcription of priſoners. All theſe claſſes ſhould have ſeparate day rooms on the ground floor apartments of the ſeveral wings, each claſs having acceſs to its adjoining interior court, and the rooms up ſtairs might be converted into ſleeping cells for ſuch claſſes, ſingle or double, according as air and light may be attainable, which would provide for an additional number on the whole, and no claſs would then conſiſt of more than about ſixteen priſoners.

That a conſiderable ſpace is loſt in uſeleſs arcades to the north of the kitchen, cells might be conſtructed there for the reception of priſoners brought to this place in the night, and another part might be incloſed for ſtore-rooms, which would admit of one or two rooms now uſed for that purpoſe being converted into day rooms.

That of the ſixteen cells on the firſt and ſecond ſtories which open into the galleries, twelve are dark, having only a ſmall borrowed light over the doors from the paſſages, by converting theſe on the ſecond ſtory into double cells (which are very uſeful where priſoners are ſubject to fits, &c.) theſe cells would have

have light, and the number of dark cells would be reduced to eight on the firſt floor, which would be quite ſufficient for the confinement of the refractory priſoners.

That a ſleeping room for boys, and another for girls, ſhould be conſtructed over the room appropriated to the ſchool, a ſtaircaſe to them can eaſily be contrived: theſe ſleeping rooms ſhould have large windows, but need not be above ſeven feet high; that for girls ſhould be upon the firſt ſtory, and that for boys in a garret in the roof: the benefit from this ſchool is in a great degree counteracted, by the children returning to their mother's claſſes after ſchool hours in the evening; the mothers could be brought into the ſchool-room or ſchool-yard at proper times to ſee their children, and would have an intereſt in conducting themſelves with propriety at ſuch times.

That an additional upper room ſhould be built in the lodge on the eaſt ſide, not merely to render the building regular in outward appearance, but more eſpecially to provide a ſleeping room for turnkeys, which they ſtate is very much wanted.

That the brewhouſe in the lodge, or part of it, might be converted into a viſiting room for debtors, who now can only communicate with their friends walking in the court or ſitting under the gateway; that the porter's lodge is much too ſmall, beſides being damp and unhealthy, and could at a very ſmall expence be rendered convenient.

It is His Majeſty's pleaſure that you ſhould take theſe ſuggeſtions into your full conſideration, and that you ſhould cauſe ſuch alterations to be made in the ſaid priſon as may tend to anſwer the purpoſes recommended by the ſaid commiſſioners; and that you ſhould report to me, for His Majeſty's information, from time to time, the progreſs you have made with reſpect to theſe improvements.

I am, &c. &c.

(Signed) LIVERPOOL.

W^m^ Mainwaring, Eſq. Chairman,
and the
Magiſtrates of the County of Middleſex.

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REPORT

FROM THE

COMMISSIONERS

Appointed to

Enquire into the State, Conduct and Management of His Majesty's Prison *The Castle of Lancaster*, in the County Palatine of *Lancaster*; and of the Prisoners therein confined.

(Dated 30th October 1812.)

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Ordered, by The House of Commons, *to be printed,*
4 *December* 1812.

COMMISSION.

GEORGE THE THIRD by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith: TO Our trusty and well-beloved *Benjamin Hobhouse*, *Thomas Macdonald*, and *William Roberts*, Esquires, greeting: WHEREAS, We have thought it expedient that an Enquiry should be forthwith made into the state, conduct and management of Our Prison, *The Castle of Lancaster*, in Our county palatine of Lancaster, and of the Prisoners therein confined; NOW know ye, That We, reposing great trust and confidence in your fidelity, judgment and ability, have authorized and appointed and by these Presents do authorize and appoint you, the said *Benjamin Hobhouse*, *Thomas Macdonald* and *William Roberts*, and any two of you, to make a diligent and strict enquiry, by all lawful ways and means whatsoever, into the state, conduct and management of Our said Prison, and of the Prisoners therein confined, and to report to Us in writing under your hands and seals or under the hands and seals of any two of you, whether any and what abuses have existed and do exist in the management of Our said Prison or of the Prisoners therein confined, and what remedies have been adopted or may now properly be applied thereto, and what regulations and provisions may be necessary or proper for the better management of the said Prison and of the Prisoners confined therein, and for the prevention of abuses therein in future; and for this purpose We do by these presents give and grant to you Our said Commissioners, or any two of you, full power and authority to cause all and singular the Gaolers, Keepers, and other officers and attendants of and belonging to or in anywise employed in or about the said Prison respectively, to bring and produce upon oath, before you or any two or more of you, all and singular the records, regulations, documents, books and papers, and other writings belonging to or appertaining to the conduct, management or treatmeut of the said Prison, and of the Prisoners confined therein, which shall be in the custody of them or any of them respectively; and also to summon before you and examine upon Oath (which oath We do hereby authorize you or any two of you to administer) all and every person or persons, who can give evidence upon all or any of the matters herein referred to you: And to the end that Our Royal Will and Pleasure in the premises may be executed with the greater regularity and dispatch, We further by these Presents will and command, and do hereby give full power and authority to you or any two of you, to nominate and appoint such person of ability, care and diligence, as you shall think fit, to be and act as your Clerk for the purpose of aiding you in the execution of these Presents; and We further will and command, and by these Presents ordain that you or any two of you shall certify under your hands and seals unto Our Chancellor of Our duchy and county palatine of Lancaster for the time being, what shall be a fit and suitable recompence for such Clerk's pains and service hereby required to be by him performed: And Our further will and pleasure is, that you or any two of you shall on or before the first day of November next, report unto Us under your hands and seals respectively, your proceedings had by virtue of these Presents, together with such other matters (if any) as may be deserving Our Royal consideration concerning the premises. IN Witness whereof, We have caused these Our Letters to be made Patent: Given at Our Palace of Westminster, as well under the Seal of Our duchy as under the Seal of Our county palatine of Lancaster, the seventh day of August in the Fifty-second year of Our Reign.

VILLIERS.

(L. S.)

(L. S.)

Mr. *John Stafford* of the Inner Temple, was appointed Clerk to the Commissioners.

REPORT

From the COMMISSIONERS appointed by Commission under the Seals of the Duchy and of the County Palatine of Lancaster, to enquire into the State, Conduct and Management of HIS MAJESTY'S Prison, *The Castle of Lancaster*, in the County Palatine of *Lancaster*: and of the Prisoners therein confined.

TO THE KING'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY,

WE the Commissioners under Your Majesty's Commission, whereby Your Majesty has been graciously pleased to authorize and appoint us, *Benjamin Hobhouse*, *Thomas Macdonald*, and *William Roberts*, and any two of us, to make a diligent and strict enquiry, by all lawful ways and means whatsoever, into the state, conduct and management of Your Majesty's Prison *The Castle of Lancaster*, in the county palatine of *Lancaster*, and of the Prisoners therein confined, and to report to Your Majesty, under our hands and seals, whether any, and what abuses have existed, and do exist, in the management of the said Prison, or of the Prisoners therein confined, and what remedies have been adopted, or may now properly be applied thereto, and what regulations and provisions may be necessary or proper for the better management of the said Prison, and of the Prisoners confined therein, and for the prevention of abuses therein in future;—HAVE humbly to represent unto Your Majesty, That on Wednesday the 12th day of August last we met at Your Majesty's said Prison the Castle of Lancaster; and having in the Council Room of the said Castle, opened and read Your Majesty's Commission, and immediately proceeded to execute the same, we are now to submit to Your Majesty's gracious consideration, the whole course and result of our proceedings. And in order to give to our statements as much precision as possible, we will presume to report the various matters which the subject presents, in the order of four separate and distinct parts; PART FIRST, to consist of a general introductory view of the course in which we proceeded;—PART SECOND, of the plan, arrangement and standing economy of the Prison;—PART THIRD, of the active management of the Prison, with the complaints made by some of the debtors;—and PART FOURTH, of miscellaneous observations arising out of the whole matter.

PART I.

GENERAL INTRODUCTORY VIEW OF THE COURSE OF OUR PROCEEDING.

BY virtue of the authority conferred on us by Your Majesty's said Commission, we summoned before us Mr. *John Higgin*, the keeper of the said Prison, and examined him upon oath, as to the books, papers, documents and writings, and the rules, orders and regulations, grounded on authority or practice, relating to the state, conduct and management of the said Prison, and the

PART I.

Prisoners confined therein; and directed him to produce such of them as were in his possession or custody, for our perusal and consideration; which being done, and the same verified by the said John Higgin, they were read, and considered by us accordingly. We then proceeded to a careful and minute inspection of the Prison itself, without being accompanied by the gaoler or any of his family, or any person whose conduct, as far as we could learn, was in any manner arraigned; in the course of which inspection we directed our attention and enquiries to the plan and arrangement of the gaol, the number of the prisoners, the means of accommodation, the distribution and classification of the various descriptions of persons under confinement; and the quantity and quality of the food, bedding, and other conveniences provided for them. We first visited each of the four wards on the criminal side of the prison, and examined every cell; the manner in which air and light were admitted, the state of its floors and walls, and the bed furniture therein contained. We also paid due attention to the yard and rooms occupied by such of the prisoners as were insane; and ascertained in all respects, as far as was practicable, their actual condition and treatment. We also inspected the places in which the convicts worked, and their kitchen at the hour of dinner, for the purpose of examining their food; and likewise viewed the different offices belonging to that department. As we passed through the different wards we took occasion to inform the several classes of prisoners (apart from and out of the hearing of the turnkeys) of the object of our proceeding; and desired them to communicate to us, without fear or restraint, whatever in their condition or treatment they considered as a reasonable ground of complaint.

We next proceeded to the side of the Castle appropriated to debtors; visiting each of their rooms, and apprizing them in like manner of our object; and we also assured them, that all such complaints as they wished to bring forward would be heard by us with the attention which they had a right to expect from the nature of the Commission with which we were charged.

Having concluded our Survey, and also taken an inspection of the gaoler's house, we again summoned the gaoler before us, and examined him as to all the particulars of the actual government and economy of the prison; the objects and extent of which examination appear in the Minutes of the Evidence contained in the Appendix to this Report.

pp. 33 to 74.

We were then attended by the deputy clerk of the peace of the county of Lancaster; who delivered to us, upon oath, the books in his possession, containing the several orders, reports, opinions and resolutions of the Magistrates, in their annual and quarter sessions, and other meetings general and special, as also the declarations and opinions pronounced by the Grand Juries for the same county, relating to the affairs of the gaol, and the conduct of the gaoler; and in particular, certain resolutions of the Magistrates and Grand Jury in the year 1807, proceeding on an investigation of charges at that time preferred by some of the debtors in the gaol, and approving of the gaoler's conduct; and also the opinion and resolutions of the Magistrates in June last, on certain charges against the gaoler, all of which, except one, were preferred by Jacob Wilson Wardell, a prisoner for debt. From all these books and documents, we have caused extracts to be made, which will be found in the Appendix.

Appendixes, No. 10 & No. 11.

A copy of the minutes of the evidence, on which the above-mentioned opinions and resolutions of the Magistrates in June last proceeded, was next produced to us by the clerks to the Magistrates; which having been duly sworn to as having been truly taken and correctly copied, was read and considered by us accordingly.

We were afterwards attended by the treasurer of the County, who produced upon oath, several documents relative to the charges and expenditure of the county, in supplying the prisoners with potatoes, oatmeal and bread, and the means of checking and regulating the same, with the management and application of the county allowance to debtors. We took occasion however, by a subsequent and unexpected visit to the gaol, and an examination of the weight of the bread, and its quality, as well as that of the other provisions, to satisfy ourselves on those subjects.

The Surgeon specially appointed by the Magistrates of the county to attend the prison, being also called before us, was examined by us, as to the manner in which

which his duty had been performed, and the general health of the prison, the attention paid by the gaoler and his servants to the wants and comforts of the sick, and the suitableness of the arrangements made for those objects. A Journal was at the same time produced to us by the Surgeon, of such occurrences during the course of a few years, falling within his department, as seemed to him worthy of being recorded: no such Journal having been continued by him, for reasons respecting which we shall make some observations in the proper place. PART I.

We were also attended by the Chaplain of the said prison, whom we examined upon oath as to the duties belonging to his office, the means and opportunities of instruction afforded to the prisoners, and the methods adopted for the improvement of their principles and habits.

Having thus collected whatever documentary evidence and general preliminary information we were able to obtain, connected with the objects of our enquiry, we proceeded to examine upon oath such persons as had complained of improper and oppressive treatment in the gaol, or of defects in its general management, in whatever way such complaints had come to our knowledge. We have already mentioned, that all the complaints before the Magistrates in June last, except one, had been preferred by Jacob Wilson Wardell; and he was also the principal complainant before us. The complaints before the Magistrates related to the prisoners confined for debt; but in the course of our inspection of the prison, Mr. Wardell having requested to be informed whether we intended to enter upon an investigation of the circumstances which attended the death of Thomas Rawlinson a lunatic, who had been found dead in his cell in the month of May last, some days after receiving correction from one of the turnkeys, we summoned him before us, for the purpose of obtaining regularly such information on that subject as he was able to afford. We accordingly examined him in the first instance as to that occurrence alone, and also took the testimony on the same subject of certain persons whom he named, and of the gaoler himself and his turnkeys, and of such witnesses as were either adduced by the gaoler himself, or as appeared to us from circumstances arising out of the evidence already taken, or our own observation and inquiries, capable of affording us information. As most of the witnesses in support of those complaints were prisoners in the gaol, we took particular care that neither the gaoler nor his turnkeys, nor any other person in his employment, whose presence might embarrass or restrain their evidence, should be present during the examination: nor was any one of the witnesses present when the deposition of another was taken.

The evidence thus collected is given at full length in the Appendix; and if in some respects it may be considered as unnecessarily minute, it will at least demonstrate the desire with which we were actuated to make manifest the truth, on whatever side it might be found; by giving as just a representation of the testimony as could be communicated, without a view of the manner and appearance of some of those who were examined. In several instances therefore it will be found that, at the expense of appearing prolix, we allowed the witnesses to give their own details, in their own way, without interruption or restraint. pp. 33 to 74.

Having closed our examinations, and afforded the amplest opportunities to every prisoner within this great and crowded prison, of preferring complaints before us, we thought it right to take the occasion which offered, of visiting on our return the gaols of *Chester*, *Shrewsbury*, and *Warwick*; and we have since minutely inspected some of the principal prisons of the Metropolis; that by means of a general knowledge of the different systems of gaol management, and with the several statutes on that subject before us, we might be the better qualified to point out real and remediable errors and abuses, and to ground our suggestions of improvement as far as possible, upon personal observation, existing practice, and known results from that practice.

PART II.

PLAN, ARRANGEMENT, AND STANDING ECONOMY OF THE PRISON.

THE ancient part of Lancaster Castle consists of five distinct towers; the Citadel, the Well tower, the Gateway tower, the Dungeon tower, and Adrian's tower. PART II.

PART II.

tower. The Citadel tower is the farthest to the north-west, and affords by its superior elevation a command of the whole Castle, as well as of the surrounding country. The circuit of the building as it now stands, is completed by some recent additions connecting the ancient towers, and forming a circumference of four hundred and nine yards. The courts and offices take up the west front, which consists of a circular projection of gothic architecture, corresponding with the magnificence of the general structure; the remainder is wholly employed as a prison, with the necessary appendages of the gaoler's house and turnkeys lodgings. Within this circuit of buildings is the court yard assigned to the debtors for exercise and air, containing two thousand seven hundred square yards, in which they are at liberty to walk at any hour of the day between the time of opening and shutting up their apartments. The part of the Prison allotted to the male criminals is the whole north side of the castle, extending from the citadel to the well tower, containing four equal triangular divisions or wards; each forming an area of two hundred and thirty-eight square yards, the dividing walls of which centre in a small tower of a construction similar to that of the well tower. In the middle of the base of each triangular division or ward, is a day room for the criminals; and two towers are so situated as to stand half within each of the divisions; which towers are of four stories each, laid out into sleeping cells for the prisoners to the number of eight on each story. The small tower where the dividing walls of the wards for criminals meet is the turnkey's lodge, which is so situated as to command a complete view of all the divisions. By this subdivision of the criminal side of the prison the gaoler is enabled to class the prisoners, to a certain extent, according to their crimes, their deportment subsequent to their confinement, or any other rule which his own discretion and experience may suggest, or the Magistrates direct.

The yard in each division is paved with flags; the walls of the day rooms, and also of the two towers containing the sleeping rooms, are of hewn stone; neither wood nor plaister being any where employed in the construction of this part of the prison.

In every compartment, as indeed in every yard of the prison is a bason or reservoir of water supplied from an engine pump.

The citadel which is a large square tower, contains the chapel, with distant seats for the felons male and female (there being a separate pew for persons under sentence of death) and a gallery for the debtors, so contrived as to prevent improper communication during divine service. Adjoining the chapel in the same tower is a room called the Hanway, 43 feet by 25 feet, used as a place of confinement during the day, and as a sleeping room for felon convicts, who are sentenced to imprisonment for a limited time. There is also another large room over the chapel called the Howard, 55 feet by 26 feet, for the confinement of prisoners convicted of misdemeanors; and above the Hanway another apartment of the same dimensions, which was the old Shire Hall, used as a weaving manufactory for the Bridewell prisoners. Adjoining to the citadel is a court yard containing workshops for the felon convicts, built uniformly with the base of the citadel tower. There are three solitary cells for felons under the Hanway adjoining the citadel. On the south side are more workshops for the male felons, consisting of three stories, each forty feet by fourteen feet.

The New tower, so called because it has been recently built, contains on the ground floor a kitchen and store-room for the Crown prisoners, fitted up with suitable conveniences, and a set of boilers on a new construction; over which is a spacious day room, with a fire-place, pump and water closet, and above this room are ten airy and well ventilated sleeping cells, each nine feet by six feet and nine feet high, now used for lunatics and king's evidence prisoners. At the back of the fourth felons ward is a sunk yard for the lunatics, who have also a day room under the day room of the felons belonging to the fourth ward. These lunatics are sent to the gaol either under the vagrant Act, or under the 39th and 40th of Your Majesty's reign, for the custody of insane persons. There is a cell in the same yard under the stair case of the felons tower, intended for the closer confinement of these unhappy persons, when extraordinary restraint or separation from others becomes necessary. There is also a bath in the same yard, which appears to be of convenient size and construction, and the copper and pipes to

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be in perfect order. In the well tower there are three rooms, one 22 feet by 23 feet, another 20 feet square, and the third 14 feet by 12 feet.

Between the well tower and gateway tower is the gaoler's house, occupying together with the adjoining towers, the eastern side of the Castle, and commanding a view of the whole interior of the prison.

The gateway tower contains a turnkey's apartments, with a room for refractory debtors, called the Strong Room, 26 feet long, 13 feet six inches in breadth, and 15 feet 3 inches in heighth. In this tower there are also five rooms for the lodgment of debtors.

The buildings on the south side, from the gateway tower to the dungeon tower (which is so called from the room on the ground floor having been formerly used as a dungeon for the confinement of prisoners during the night, but which is now used as a store room) are principally appropriated to the Female felons, the front of which is uniform with the gaoler's house. In the centre of these new erections is an edifice, the ground floor of which consists of two day rooms, with fire places, and three sleeping cells, allotted together with six other cells in the eastern wing of this building, to the female felons; and on each side or wing is a yard for the same description of prisoners. There are, besides, in the eastern wing, six workshops, two in each story, the lowest of which is used as a washhouse. Above the day rooms and sleeping cells for the women are three rooms, one above another, for the reception and accommodation of the sick.

The dungeon tower contains two rooms, a day room and a sleeping room, one above the other, for female bridewell prisoners, twenty-three feet nine inches by fifteen feet.

The female debtors, who are never numerous, have but one ward allotted to them. This ward is near the dungeon tower, on the south side of the debtors court, the area of which comprizes a slip of ground almost equally divided into a lodging room 40 feet by 14, and an open yard for exercise and air.

The Male debtors, besides the spacious court before described, have, on the west side of the Castle, between the citadel and the wall connecting the dungeon Tower with Adrian's tower, open arcades, in which they walk when the weather is bad. Over these arcades is a new building, for their accommodation during the day as well as the night, containing eight rooms, six of which are fourteen feet nine inches by twelve feet three inches, and the remaining two are nineteen feet nine inches by twelve feet three inches; and over the female debtors room are also two rooms, one above the other, for male debtors, of the same dimensions with the apartment below. Behind the arcades are five cells, each ten feet by six feet seven inches, and eight feet nine inches in height, employed for purposes, afterwards explained.

In the great court is a reservoir of rain water, capable of containing 14,000 gallons, which is supplied from the roofs of the buildings on the west front; and there is also a pump of spring water for the use of the debtors.

A narrow slip of ground, sixty-five feet six inches in length, and nineteen feet nine inches in breadth, runs along the wall which divides the felons yard from the debtors court, is taken out of that court, and fenced off from it by an iron railing. This piece of ground is used by the gaoler as a garden, which serves the useful purpose of preventing all communication between the debtors and felons, and is likewise a passage from the turnkey's lodge or round house, to the new tower, where the lunatics are confined. Convalescent prisoners are also brought into this garden when first permitted to take the air, whereby they are kept from mixing with others. Besides this garden there is a border or slip round the gaoler's house about seven feet wide, which keeps the debtors from the windows without being any detriment to the yard.

With the exception hereafter mentioned, the prison is sufficiently furnished with privies, which we observed to be in a very decent condition; but there are no means of carrying off the soil without the necessity of emptying it into the court, and removing it in carts. The exception above alluded to is the ward for the lunatics, where the use of tubs by these miserable persons for their natural occasions, has produced at times very inconvenient and offensive consequences.

PART II.

Lancaster Castle is the only gaol for the county, which is composed of six hundreds; and the county house of correction, used for all the hundreds except the hundred of Salford, is at Preston. In the hundred of Salford is the town of Manchester, and the house of correction there is the house of correction for that hundred. But it has been long the practice to send offenders out of that hundred to Lancaster Castle for punishment by hard labour and solitary confinement, or otherwise; and so far the Castle of Lancaster has been used as a house of correction.

Evidence, p. 37.

The total number of prisoners in the gaol at the time of our examination was 340; of whom 166 were debtors, and 174 crown prisoners. The mean total number since January 1812 has been 291. The mean number of debtors 152. The mean number of all the other prisoners 139. The like accounts of the average number for five years last past, are given in the Appendix. The wards appropriated to the debtors are nineteen, both day rooms and sleeping rooms, which vary considerably in their dimensions; the largest being 28 feet 11 inches by 21 feet 10 inches, and the smallest 14 feet 9 inches by 12 feet 3 inches. A poor debtor is employed for a small weekly payment by the gaoler out of the charity fund, to keep the staircases, lobbies, yards and privies clean.

Appendix, N° 3. pp. 78 & 79.

Evidence, p. 38.

At the annual Sessions of the peace in June 1809, the salary which the gaoler had before that time received, and which included the salaries paid by him to his turnkeys and servents, was declared to be inadequate to his risk and trouble; and his salary was fixed at £. 500. per annum, with an allowance of £. 250. for turnkeys and servants, to whom however he declares he pays about £. 340. yearly. The above salary and allowance are free from all incumbrances except property tax. He has no perquisites or fees from the prisoners; all these having been commuted for a fixed salary at the gaoler's own request about the time of the passing of the Acts for abolishing taps in prisons. A charge of one shilling for a copy of the certificate of commitment (which however the gaoler gives gratis to prisoners who cannot pay for it) is still allowed; and for the removal of prisoners he has one shilling a mile each, an allowance which proves profitable only when several prisoners are removed together. The gaoler calculates, that adding to the above salary and allowance for servants, the sum which he grants to his son as his assistant, and his profits on copies of certificates and the conveyance of prisoners, his annual gains for a few years past amounted to £. 700. which sum he returns to the Commissioners as his income as keeper of the gaol. He has besides a rent free unfurnished house in the Castle; which however he states would be worth very little to any person not in his situation.

Ibid, p. 39.

Ibid, p. 63.

A regular Surgeon is attached to the prison, at a salary of £. 84. per annum; medicines are found by the county; and any quantity of wine or spirits which he deems it expedient to allow to the prisoners is provided upon his order.

Ibid, p. 68.

The religious duties of the prison are performed by a Chaplain, who receives £. 50. per annum according to Act of Parliament, and £. 30. per annum for auditing the accounts of the earnings of the prisoners. He preaches once, and reads prayers twice on Sunday. He also reads prayers once on every Wednesday and Friday, and on the fasts and festivals celebrated by the church. The condemned prisoners are attended twice a day, and all descriptions of prisoners are visited on notifying their wishes to that effect. The criminals are compellable to attend divine service. With the debtors it is optional. The Sacrament is administered to debtors and criminals (who attend for that purpose on the Sunday preceding the Assizes, of which due notice is regularly given) and also to malefactors under sentence of death and to sick prisoners.

Ibid, p. 67.

The county treasurer contracts for the supply of provisions and drugs for the crown prisoners, and the county allowance, to be afterwards described, of bread and potatoes to the debtors, as well as for the repairs of the prison. His duty is also to see that the food is of a proper quality and regularly provided; and his accounts are annually audited by the Magistrates. The county treasurer is authorized and directed to purchase the best articles which the market affords. This is done by contract, to ensure a constant supply and for the sake of a saving in the expense. The prison is furnished with exact weights and scales; and the allowance of meat to the criminals is weighed out after it has been boiled. For securing exactness as to the quantity of bread and meal delivered

delivered out to the prisoners, a paper containing an account of the Statute weight of bread for each preceding week, founded upon the weekly return of corn and oatmeal sold in Lancaster market, is hung up in the gateway of the gaol near the weights and scales; which paper all persons either in or out of the gaol may see when they think proper. PART II.

The gaol allowance for the crown prisoners is one pound of bread and one penny's worth of butter per diem; two and a half pounds of oatmeal and ten pounds of potatoes weekly. The Sunday allowance, is half a pound of boiled beef without bone, and one quart of broth, in addition to the ordinary allowance.

The debtors have one shilling's worth of bread per week, in loaves, the weight of which varies of course according to the price of flour, and since the high price of provisions ten pounds of potatoes are also supplied to them by the county treasurer, in the manner above stated, at the expense of the county. This is called their county allowance, in which the gaoler has no interest or concern. The necessities of the debtors are further alleviated by a charitable fund, made up of legacies and casual contributions, which is distributed and applied at the discretion of the gaoler. The allowance is liable to be withheld by order of two or more magistrates on complaint of the goaler, or on account of any misconduct falling under their own observation. The restitution of this allowance depends upon an alteration of the behaviour, and a submissive application of the party. In cases of more than ordinary misbehaviour, the debtors are confined in the cells behind the arcades, or in the strong room. These cells which are without fireplaces or flues, are elevated a few feet from the ground, have apertures over the doors, and are floored and boarded. They are five in number, but three only are used as places of confinement, and seem to be liable to no objection; the other two being damp, are filled with straw and lumber. The strong room, which is sometimes called the lock-up, is paved with flags but has a fireplace, it has also three windows with openings in each, which may be opened and shut at the will of the person confined; and appeared to be a sufficiently good apartment. A debtor when thus confined in a cell or the strong room, is never at the same time deprived of the county allowance.

It seems that it has not been the practice to clothe the crown prisoners in any prison dress, notwithstanding the rule respecting it. We have been given to understand, that the omission has the sanction of the magistrates, in consideration of the expense and alleged inutility of the practice. There is however a stove, in what is called the strong room, for fumigating and purifying the clothes; and there is also a proper supply of towels and soap for cleaning their persons.

The bell, to give notice to the debtors of the locking and unlocking of their apartments, is rung at six in the morning, and at nine in the evening in summer; and as soon as it is light in the morning, and at nine in the evening, in winter. On the criminal side the bell is also rung at eight in the morning for breakfast, at nine for work, at twelve for dinner, and again at one for work.

Task masters are appointed, with a small stipend, to superintend the Prisoners when at work, whose office it is to take care that they are not idle, and that their work is not improperly done. The task masters have no authority to inflict punishment; and if any cause of blame occurs, they are to carry their complaints to the gaoler. They are expected to keep regular and exact accounts of the earnings of the prisoners, which accounts are audited by the chaplain.

All the magistrates of the hundred of Lonsdale, to the number of twelve or thirteen, are usually appointed Visiting Magistrates at the quarter or annual sessions. But they appear to have no stated times of visiting, nor do we find either that their visits are frequent, or that there are any regular visiting journals kept in the prison, or elsewhere. Evidence, p. 38.

The regulations to which the crown prisoners are subject, are hung up n the different wards of the prison.

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THE ACTIVE MANAGEMENT OF THE PRISON, WITH THE COMPLAINTS MADE BY SOME OF THE DEBTORS.

IN the course of an enquiry into the actual management of this Prison it is impossible not to remark the superiority, in point of discipline, of the criminal PART III.

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to the civil department; a difference indeed, which in all the Prisons we have had an opportunity of visiting, presents itself in a striking degree. It cannot be doubted that the disturbed or unquiet state of the debtors in this prison is, principally owing to the want of authority in the gaoler; at least of any authority prescribed and sanctioned by law, to impose such restraints upon the wills and passions of individuals, as are necessary for the comfort and good order of the whole body. We were surprized to find that there was no table of rules applicable to this class of persons established by any proper legal jurisdiction; but that these Prisoners had instituted a sort of code of their own, in many respects, as may be easily conceived, of unequal and oppressive operation, and often productive of riot and disturbance. The rooms in which the debtors sleep serve them also for day apartments, and in these they pass the greatest part of their time, and prepare and eat their meals. Being of various dimensions, those rooms vary in the number of occupiers; but as the debtors are in some measure left to regulate the occupancy, it frequently happens that some rooms are made to contain more than their proportion; an evil particularly felt at the time of our visit, as the prison was more than ordinarily crowded, in consequence of the Act recently passed for the relief of insolvent debtors. A rule, which has long prevailed among the debtors in this prison, as well as in several others, of demanding from every new comer, on his entrance, a sum of money, as a contribution to the room fund, has frequently proved a temptation with the actual occupiers to invite others, until the number exceeds the proper complement; while inability to furnish the entrance money has sometimes on the other hand occasioned the expulsion of a poor debtor, and sometimes produced much disorder and tumult in the prison. When the rooms are in a crowded state, every new prisoner adds necessarily to this disorder, while his own condition, as a stranger, is rendered peculiarly distressing by the difficulty, uncertainty and commotion, which attend his reception and accommodation. In many of these rooms we found too many beds, for health or comfort, the greater part of them holding two persons, and some few even three together. In the largest of them, which is 28 feet 11 inches by 20 feet 10 inches, we found that 16 persons were sleeping at the time of our inspection. The debtors are in general at the expense of providing their own beds and bedding, which they hire from persons in the town, and which may in some measure account for this very improper practice. There are however four iron bedsteads with bedclothes, and forty-one swinging cots or hammocks, for the use of the poorer debtors, which were furnished by James Nield, esquire, treasurer of the Society for the relief of prisoners confined for small debts, and which are assigned by the gaoler to such as cannot defray the hire of a bed: though these, when the prison is full, do not supply the demand. And it should be observed, that these cots and the blankets are nearly worn out; while the gaoler has no means of renewing them. With respect to the beds hired from the town, they have in general been so much injured in the prison, that great difficulty occurs in finding beds to be hired; so that debtors would sometimes be without beds, if the gaoler did not furnish them from the crown side of the prison, and on some occasions from his own house. On this subject it is further material to observe, that the gaoler, finding himself restrained by the restrictions in the 32 George II. c. 28. s. 4. commonly called the *Lords Act*, is obliged to abstain from taking any cognizance by himself, or his turnkeys, of the condition of the bedding brought into the prison, which is often extremely foul, and even unsafe to be admitted.

Crowded as these rooms of the debtors are liable to become, fires are necessarily kept in them in the hottest season for preparing the meals of the occupiers; the effect of which double mischief is too obvious to require any comment: and in some of the rooms we found these inconveniences increased by the addition of smoaky chimnies, occasioned, in a great measure, by the irregularity of their construction, which prevents their being swept in the usual manner. Among other obstacles to cleanliness, we cannot avoid noticing the unrestrained admission of the wives and children of the debtors into these already crowded apartments; a practice which we could not observe without suspecting its consequences both to health and morals. When the gaol is crowded, the families of the debtors are compelled to leave it before the time of locking up; but it was admitted to us, that when the state of the numbers in the gaol will permit, the wives

wives of the debtors are allowed to sleep with their husbands when several other male debtors are sleeping in the same room; a practice which is offensive to decency, and cannot but prove injurious in a moral point of view.

The only approach to classification in respect to the prisoners for debt, and perhaps under the circumstances of the gaol the only one which is at all attainable, has been, to send those whose debts are of an amount to indicate the probability of their having lived in credit, and of their bringing with them superior habits of behaviour, to the rooms in the new buildings, which are considered as the most convenient: and persons imprisoned for very small debts, such as those who are sent from the Court of Requests at Manchester, are placed in the rooms under the Gateway tower; in which last-mentioned rooms the occupiers are supplied with cots, as far as the number of such cots extends.

We found that the introduction of spirituous liquors is never allowed, except by the direction or authority of the Surgeon; but that beer, ale, and wine are placed under no restrictions as to quantity: the times however of their admission into the gaol are generally from twelve to one at noon, and from six to seven in the evening, when publicans attend for the purpose of supplying the demand; which times are varied according to the season. Under these circumstances intoxication, with all its consequences, may be supposed to be no unfrequent occurrence. We were not, therefore, surprized at the difficulty which the gaoler experienced in managing, in this respect, a class of persons so little governed by habits of temperance or submission, without any other authority than that degree of discretional jurisdiction which is left to him by the *Lords Act*.

We do not find however that the gaoler has been deterred by any difficulties from using his best exertions to preserve order and tranquility in the debtor side of the prison: or that there is just ground for imputing to him any improper refusal of his interposition on being applied to for that purpose. When debtors have been refractory in their behaviour, his general practice has been to report their conduct to the magistrates (an example of which is given in the Appendix;) in consequence of which they have usually withdrawn from the offender his county allowance. But the gaoler, who has himself no authority in that respect, has never, without an order of two Magistrates, as required by a general order of Sessions, dated the 1st day of August 1808, attempted to withhold it. On a respectful application to the Magistrates the allowance is restored; for in all the cases which have come before us, in which the parties complaining continued to be deprived of such allowance, their own evidence shewed that they had made no application to have it restored.

App. N° 24. pp. 91 & 92.

App. N° 27.

In some cases, indeed, where the conduct of the debtors has been very disorderly, and gentler methods have proved ineffectual, it appears that the gaoler has confined them either in the strong room adjoining the gateway opening into the debtors yard, or in one of the cells, called the debtors cells, under the new buildings. We have already given a description, as well of the room called the strong room, as of these cells. The longest period during which debtors have suffered confinement in the strong room does not appear to have been beyond two or three days; in the cells they never remain beyond a night and a day, and have the liberty of walking in the day time in an airy arched passage, opening into the debtors yard. One case indeed must be excepted which happened about eleven years ago, when a debtor who had escaped and ran off to Liverpool, was on being retaken, confined in the strong room for six weeks. We find also, that when this mode of confinement has been adopted, a memorandum thereof has been made in a book of punishments kept by the gaoler for the inspection of the magistrates. In one instance a debtor, who had effected his escape many years ago, and was retaken, had been put in irons for a few days; but this appeared to be a single instance.

A certain degree of agency appeared, from the evidence before the magistrates, to have been carried on by one of the turnkeys for the prisoners in the articles of bread and provisions, affording opportunities for indirect practice, and laying the foundation of an intercourse between the prisoner and his keeper, inconsistent with the relation which should subsist between them. Neither the gaoler nor the turnkeys ought ever to mix with the prisoners in any transactions foreign to their official trust, or for a moment to drop their proper character.

From

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From the documents before us, and to which we have already referred, it appears, that in the year 1807, certain complaints had been preferred by some of the debtors against the gaoler, on which a committee of Magistrates made the following resolution: "Resolved, That after the most minute investigation of the "complaints made against Mr. Higgin by the debtor prisoners; it is the "unanimous sense of this meeting, that the whole of the charges are unfounded, "and that the conduct of Mr. Higgin has been throughout the whole highly "meritorious, and truly consistent with his situation as keeper of Lancaster "Castle." This resolution was next day confirmed by a resolution of the Grand Jury, after an inspection of the gaol, as follows: "Resolved, That the Grand Jury "having fully inspected the Castle, and investigated the situation and comforts as "well as the regulation both of debtors and crown prisoners, are unanimously "of opinion, that the conduct of Mr. Higgin the gaoler, is in every respect highly "meritorious and correct." It does not appear that any complaint was preferred against the gaoler subsequent to that period, until the 6th day of June last, when a letter containing various charges dated the 26th day of May preceding, from Jacob Wilson Wardell, the debtor already mentioned, and addressed to the high sheriff, was produced at a special sessions before the magistrates, and acknowledged by him to be his hand writing. In support of those charges, John Unthank, James Mallalieu, William Mallalieu, George Collins, William Rideal, Thomas Wattleworth, George Tengatt, and William Goulden, all debtors in the gaol, were adduced as witnesses, and examined: and on the 10th day of the same month, Mary Wardell, wife of the said Jacob Wilson Wardell, was also examined, on a distinct charge made by William Mallalieu. In support of the defence, the gaoler himself, two of his turnkeys, John Cooper and John Clarke, Thomas Lee a crown prisoner, and eight of the debtors, having been examined, the magistrates gave it as their unanimous opinion, that "all the charges were "wicked, malicious, and without foundation;" and added very strong resolutions in approbation of the gaoler's conduct. And at the ensuing annual general sessions of the peace, held on the 25th day of that month, resolutions to the same effect and equally strong were unanimously passed.

App. N° 15. p. 89.

App. N° 16.

App. N° 12. p. 87.

App. N° 13.

The charges to which those resolutions of the Magistrates related, were five in number; and with the minutes of the evidence on which they were founded before us, we proceeded to examine those charges, and certain additional charges made by Mr. Wardell before ourselves, with all the attention, which whatever related to the health and reasonable accommodation and comfort of the debtors, as well as to the personal conduct of the gaoler, required.

The first charge related to the cleansing of the privies. Mr. Wardell deposed before us "that the dung which was taken out, remained in the yard from "Monday to Thursday, being four days." But the other witnesses deposed on the contrary, what was admitted on the other side, that the manure having been thrown out on Monday remained till Wednesday, when the farmers servants, who had been at a fair the preceding day, which happened to be a holiday, came to take it away. It further appeared, that this nuisance was just before the gaoler's house, which must have induced him on his own account to remove it as soon as possible; and that no such thing had ever happened before; the offensive matter having been always taken away by carts the day after the privies had been emptied. Indeed our own observations of the remarkable state of cleanliness, in which not only the airy and extensive yard appropriated to the exercise and comfort of the debtors in this great Castle, but all the other areas and avenues of the gaol, appeared to be kept, confirmed the direct evidence before us, that the ground of this complaint was altogether accidental, and will probably never again occur.

App N° 10. p. 83.

The second charge related to the alledged impossibility of procuring admission into the Castle for a smaller quantity of coals at a time than 500 weight, which it was said many of the debtors could not singly afford to purchase; and this undoubtedly appeared to be a hardship till the matter was explained. But the restriction was found only to exclude the admission of a smaller quantity by carts, on account of the danger of opening the great gates too frequently; it appeared that any quantity was admitted in sacks or bags; and that the arrangements among the debtors themselves to provide by means of a contribution for common expenses, and coals in particular, precluded all ground of complaint on this

App. N° 10.

this head. The custom in most of the rooms is, for every new member to furnish a load of coals; which, together with occasional subscriptions and a bounty of £. 5. annually received from the Society for the relief of poor debtors, supplied the ordinary consumption.

The third charge alledged, that the gaoler did not visit the debtors rooms as he ought to have done, and that he had declared he would not listen to any of their complaints. On the first point, the fact was found to be, that he visited the debtors wards only when special occasions rendered it necessary; assigning as a reason that his several duties of attending the courts of quarter sessions and assizes, and commissioners of bankrupt, and of removing debtors by habeas corpus, with many others incidental to his office, which required great additional attendance and responsibility, from the sheriff's office being at Preston, twenty-two miles distant, rendered it impossible for him to visit the different apartments himself so often as he wished; but he stated that his servants visited the debtors wards twice a day, and reported regularly when any thing improper occurred; and that to the best of his recollection he and his son Thomas, who is his assistant, had never been both absent more than a day at a time for many years. On the subject of this duty however, we will submit an observation in the sequel. As to the second part of the charge, viz.; his having declined to listen to any of the debtors complaints, we have already said, that we were satisfied by the evidence before us on that head, that he refused only to listen to what appeared to him to be frivolous disputes among the debtors themselves, which from their frequency among a particular set of them, would have fruitlessly occupied the greater part of his time, and prevented him from attending to his proper duties.

App. N° 10. p. 83.

Ibid.

The fourth charge accused the gaoler of having "refused to supersede" for two poor debtors, Hayes and Goulden, who were supersedable. This charge was explained to mean, that he had so interposed as to prevent them from obtaining, by means of the charity afforded by the Thatched House Society, their discharge by supersedeas, because a person of the name of Parsons, who it was said "did that kind of business for the debtors at a reduced price," had been employed by them, in preference of the gaoler's eldest son, who is an Attorney. Had it been made out that the gaoler ever attempted, in any manner, to prevent a poor debtor by law supersedable from procuring his discharge, and to disappoint a charity so truly laudable, however high his general character as a gaoler and man of humanity may have been, his conduct in that respect could never have admitted of palliation or excuse; and more especially if in addition to the malice and cruelty of any such proceeding, he had been actuated by the vile motive of forwarding the little interests of any of his family. But nothing approaching to any such charge was proved against him; on the contrary, we found from the evidence, that the gaoler and his eldest son, Mr. John Higgin, an Attorney, against whose general character we had reason to believe there never was any imputation, did afford their best assistance to poor debtors of good character, who deserved their aid, by obtaining their discharge when supersedable free of any expense except actual disbursements; Mr. Higgin junior, not only giving his own trouble, but obtaining the agency of others, gratuitously for the purpose. In confirmation of what was sworn to by Mr. Higgin junior on this subject, both before the Magistrates and ourselves, a letter was proved before us from him to his agents at Preston, in favour of the above-mentioned Hayes, and of another debtor of the name of Chapman, in which he represented to his agents that those two men were very poor, and unable to be at the expense of obtaining their release from prison; and requested them, as an act of charity, "to do the "needful, adding, that Mr. Cross had frequently been so kind as to give the fees "of office," and that he would himself undertake to pay the stamp duty. Accordingly Chapman and Hayes, (the fact respecting Hayes being the direct reverse of the allegation) were actually released without expense, except Court fees only; but Goulden being represented as a dissolute character, which, from his own evidence before us, he appeared to be, no exertions were made in his favour. A witness indeed before the magistrates made oath, "That he was well "persuaded Goulden had spent more money within the last two months than would "have superseded him."

Evidence, p. 64.

App. N° 10. p. 83.

App. N° 19. p. 90.

App. N° 11. p. 86.

On Wednesday, the 10th of June, the magistrates met according to adjournment, when a fifth or additional charge was made, not by Mr. Wardell himself, but on the evidence of his wife; by William Mallalieu a debtor, son of James

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Mallalieu another debtor and uncertificated bankrupt, whose concern with Mr. Wardell in the prosecution of this business will afterwards appear.

App. N° 11. p. 85.

Mr. Wardell's wife, whose evidence was directed against one of the turnkeys only, made oath, that it was generally "spoken of in the yard, that if she gave a "bribe to the turnkey, she might have free access to the females ward," which "had been denied to her; that she gave Cooper the turnkey a dollar, as a present, "and had afterwards access to the females ward; that she thought from "Cooper's looks, that he wanted a bribe; "that she had once or twice given "money since to Cooper, but did not consider it as a bribe;" admitting it to have been for bread; but that she "most undoubtedly perceived an alter-"ation in Cooper's looks since she left off giving him money." This charge, such as it was, not only stood unsupported by any other witness, though Mrs. Wardell swore that the turnkey's practise of taking bribes was "gene-"rally spoken of in the yard," but was directly disproved by several witnesses; who deposed to circumstances confirming the answer made by the

Ibid, p. 85.

turnkey himself, (Cooper) whose evidence was also upon oath. He there details circumstances and conversations with Mrs. Wardell, and concludes with the fact, which in justice to the gaoler ought to be noticed, that "Mr. Higgin, some "months ago, came into the office, and saw some memorandums upon the slate "as accounts against debtors, and found fault with him for keeping such accounts, "and since, he has not kept any such accounts. Mr. Higgin has frequently told "witness to be cautious how he received money from the prisoners."

Such were the complaints before the Magistrates. In the course of Mr. Wardell's examinations before ourselves, he added four new complaints; the first, that

Evidence, p. 66.

the gaoler's son and assistant Thomas Higgin had come up to him on the 23d of June, and addressing himself to him, said, "you have been horsewhipped and "horseponded at York," and then went upon the terrace, and repeated it very loudly. The second, That during the time the charges were pending before the magistrates, which he had stated in his letter to the High Sheriff, the gaoler allowed the turnkeys to bring in a parcel of oak branches or boughs, which on the magistrates having made their decision, were distributed to and worn by many of the debtors in their hats. The third, that he had written to the gaoler, complaining of insults which his wife had received from the turnkeys, and disturbances in the room No. 4. and received no answer: and the fourth, that a caricature, which he produced, of himself and his wife, had been stuck up in the debtors yard, and of which he complained without effect by letter to the gaoler, no attention having been paid to it.

Evidence, p. 70.

As to the first of these additional charges, Thomas Higgin admitted that he did make use of such expressions as those imputed to him, but he swore, that instead of his having accosted Mr. Wardell in that manner without provocation, Mr. Wardell had differences with and was in the constant habit of insulting him when he passed through the debtors yard. His evidence was confirmed by that of his father, whose answer to the question put was in these words: "I have requested "my son to have the greatest forbearance towards Mr. Wardell, who has always "treated him with great insult. As he walked across the yard, Wardell told "him to pull off his hat. Provoked at these things, Thomas did put him in "mind of his being disgraced at York or Doncaster, as he had heard in the "prison." Having received a letter however from Mr. Wardell, complaining of violent expressions made use of by Thomas Higgin to him, on his returning from being examined before us, we thought it proper, notwithstanding the excuse he made on the ground of great provocation, to admonish him severely on the subject; representing in the strongest terms how much it was the duty of those who had the custody of persons in that situation, to disregard all provocations, and refrain from reproachful language or manners towards them.

With respect to the second additional charge, it did appear that a quantity of boughs had been brought into the prison about the time mentioned; and one

Ibid, p. 71.

witness swore, that on the 10th of June, the day on which the magistrates gave their decision, he saw a boy who occasionally assisted one of the turnkeys, bring out a sack full of them and put them into the debtors hats as they came out to him; but none of the witnesses said that any riot or disturbance took place in the prison, or that any of the turnkeys took a part in promoting this manifestation of satisfaction among the debtors. We should certainly have reported

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our strong disapprobation of any occurrence of this kind, as tending to produce disorder in the gaol, if by means of the particular enquiry we made on that subject we had traced it to the gaoler or any of his officers; but the gaoler seemed himself to be sufficiently impressed with the proper sentiment on that subject, for having been asked, Whether his son had given directions to distribute the boughs? he expressed himself thus, "Not to my knowledge; I should hope he "has more sense." Indeed it appears from the Resolutions, signed by 114 debtors on the first day of the same month, the preamble of which is in these words, "it having become known that some charges have been preferred against "Mr. John Higgin, in his quality of keeper of this gaol, in order that the com- "plaints of those two or three persons may not be mistaken for the sense of the "numerous debtors confined in this prison, a general meeting of the said debtors "has this day been held, at which the following Resolutions were unanimously "passed;" that there was reason to consider it as a proceeding in which only the debtors themselves were concerned, the gaoler's son and assistant making oath, that he knew nothing of it till it was over, and that his father was at the time absent at Preston.

App. N° 30. p. 93.

The third additional charge, for not answering letters of complaint, a copy of one of which was produced to us, appeared to us to be removed, by the gaoler's exhibiting to us several letters to him from Mr. Wardell, containing gross abuse of himself and his son; and also other letters of an irritating nature, of a date previous to his receipt of the above letter. At the same time it did appear from the evidence of James and William Mallalieu, that after Mrs. Wardell had unsuccessfully made before the Magistrates the above charge of bribery against Cooper the turnkey, they heard something abusive said to Mrs. Wardell with reference to the above charge; and observed other marks of disrespect shewn to her by the turnkeys. James Mallalieu having deposed, that he had heard Mr. Wardell also very much abused by the other debtors. With regard to the disturbance in the room No. 4, included in this charge as already stated, it was found to have arisen from a quarrel between two of the debtors, one of whom was bound over by a magistrate to keep the peace.

Evidence, p. 70.

Ibid, p. 72.

Ibid, p. 62.

On the fourth and last additional charge no evidence, was given to shew, that the gaoler or any of his officers had any concern in drawing or sticking up the caricature, which Mr. Wardell said represented him and his wife in circumstances of the utmost disgrace. It might therefore have proceeded from some of the great number of debtors, who had given him so many proofs of their dislike; and was soon taken down.

The conclusions which we drew from the facts brought forth by means of the strict examination we thought it our duty to apply to every complaint preferred to us, however minute or apparently trivial some of them might have been considered, were confirmed by the views which the evidence exhibited to us of the conduct and motives of Mr. Wardell, and most of those persons with whom he seemed to have associated on terms of intimacy in the gaol, and to whose evidence he referred us in support of the various allegations he had made. He was manifestly the leader in those proceedings, and would have been intitled to the chief merit in bringing to light the abuses of which he complained, if those abuses had been found to exist. But the letter which he wrote to the clerk, to the magistrates who were assembled to decide on the charges he had preferred by his previous letter to the High Sheriff, afforded an early indication of the temper of mind with which he proceeded. That letter having been proved before us, will be found in the Appendix. It was written to the clerk of the Magistrates on Monday the 8th of June, while they were deliberating on the evidence which they had heard, and on which they gave their decision on the Wednesday following. And he there gave them particularly to understand, that the subject of their deliberation would come under the view of the House of Commons; expressing himself, after demanding copies of the examinations, as follows: "It is essentially "necessary I should possess them this evening or early to-morrow morning, as "being connected with a variety of matter now submitted by me to the House "of Commons." In the postscript to this letter he exhibits at great length, and in a manner expressive of very violent animosity and resentment, certain complaints against the gaoler's eldest son (whose charitable aid in enabling poor debtors of good behaviour to obtain their discharge has been already recorded) with

App. N° 14. p. 88.

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with a history of himself and his former habits and opportunities, which, it is evident, he considered as calculated to give impressions the direct reverse of those to which they seem to be entitled. He there represents himself as having spent a fortune, such as, he said, he was sure the person he then abused would never make. Inferring from the circumstance alone, of his having spent his fortune, that it would be admitted, "there were few people to be found who had contracted debts, who were more exempt from the imputation of criminality." And he concludes with abusing not only every person about the gaol in general, but the debtors also, without excepting his own intimate associates; and avowing his determined hostility to the gaoler and his family in particular; whose "triumph," he said, in anticipation of a judgment against his charges, would be of short duration.

Conformably to the impressions which this letter must suggest, the testimony of one witness gives an account of Mr. Wardell's expressions of resentment, with the assent of the two Mallalieus, against the gaoler, which the witness stated to have been as follows: "I am determined to have revenge, because he would "not send for a magistrate in the dispute between me and Livesey; he said he "would certainly get Mr. Higgin out of his situation; the two Mallalieus "were present at the time, and said they would join Mr. Wardell and try for "it; and when Mr. Higgin went across the yard, they said there goes the "d———d scoundrel, we'll get him out of his situation very soon." Wardell said this, and Mallalieu said "yes, otherwise we'll try for it." Another witness when interrogated, whether he had any conversation relating to Rawlinson's death with Unthank, a debtor who seems to have associated much with Mr. Wardell, who is referred to by him as a witness, and whose habits and disposition will presently appear from his own evidence, answered as follows: "Yes, a "little while after Rawlinson's death, Unthank said to me, we have laid a "scheme for the old villain, we'll teach him for taking my bread and potatoes "away, blast him;" and being asked, to whom Unthank alluded, when he said "we," he answered thus, "I understood he meant Mr. Wardell and himself, because Unthank and myself at that time associated with Mr. Wardell, "but I gave up associating with Mr. Wardell in consequence of it." Being asked, to whom he supposed Unthank alluded when he said the "old villain?" he answered "I know he alluded to Mr. Higgin, from previous conversation "I had with Unthank;" and he added, in reply to the question, if any thing else passed, "Unthank shewed me a letter, which he said came from Sir "Francis Burdett; it was franked by him, and Unthank shewed me the signature, "and then added, we will have the old rascal on the crown-side soon; and said "Cooper had murdered Rawlinson." Mr. Unthank, in his own evidence, states, that when he told Mr. Wardell that the gaoler had refused to send for him as a witness whose testimony he offered, in a dispute with one of the turnkeys, Mr. Wardell observed "that it was very bad conduct, and said, never mind, we shall "set them all to rights by and by." In a preceding part of his evidence, Mr. Unthank described himself as follows: he stated that he had some disagreements and quarrels with his fellow prisoners; and having been asked, whether they existed previously to the affair of Rawlinson? he said "No, he spoke his "mind freely on that occasion; on the 15th of May, being his birth-day, when "he was elevated;" that there was a quarrel between him and one Spencer a debtor. One night in November, "when he was again rather elevated in liquor," that Spencer knocked him down twice; that they fought again next day, when Spencer's leg was broken by a fall; that Mr. Higgin did not interfere, "but took "from him the county allowance," of which he had been ever since deprived. He then described another quarrel and battle he had with one Drummond, as follows: "He is a very bad man, and he knows that I dislike him for his violence against "government. Sometime in October last I was intoxicated, and we had some "words. I know I called him bad names; he was quite sober, and he struck me "and broke two of my ribs, &c. and I lay in bed for a fortnight: I made no "application to Mr. Higgin about it. On the 15th of May, I had a private "letter from Sir Francis Burdett, dated the 11th of May, and I spoke of it in "the room, saying, there, gentlemen, is a letter from another nobleman; Drummond said, I knocked you down before, and I'll do it again, &c." He then gives an account of his being prevented from fighting, of Drummond having complained of him to a magistrate; in consequence of which, he was sent

Evidence, p. 57.

Ibid, p. 65.

Ibid, p. 62.

Ibid.

to

to the crown side under a pretext of want of sureties, but actually for the purpose of having an opportunity of intercepting his letters in that situation; of his having, however, found sureties, and been sent back to the debtors side; of his having been again, for another charge of assault made against him by one of the turnkeys, bound over to keep the peace; of Mr. Higgin having obtained his release, upon condition that he would beg pardon of the turnkey, with which he complied; and lastly, of his having, after he had thus extricated himself by means of Mr. Higgin's intercession, complained of him, to his friend Mr. Wardell, and having had the conversation with him, which has been already stated.

Such are the circumstances which came out in evidence before us, as descriptive of the conduct and motives of Mr. Wardell and Mr. Unthank. With respect to James and William Mallalieu, father and son, nothing farther appears as to the concert between them and Wardell, than the evidence which has been stated. But James Mallalieu the father, speaking for himself and the other debtors from whom the magistrates had thought proper to withdraw the county allowance, shewed the spirit of his character, by declaring, when asked if they had requested to have it back, that they could not "cringe" to the magistrates who had decided against them. He also took occasion, at the same time, to complain, that being an uncertificated bankrupt, his creditors had been induced not to sign his certificate in consequence of his name appearing on a printed placard or notice, which contained a list of those debtors from whom the county allowance had been taken, and which had been stuck up, not only in the prison, but in the Exchange at Manchester, a ground of excuse for the fact of his having been refused his certificate, of which we could not judge; but it was only applicable, at any rate, to the time subsequent to the publication of this placard; which did not take place until after the examination before the magistrates in June last, whereas he and his son had been in prison ever since the 3d of August 1811. Disapproving, however, as we did, of this publication of names beyond the walls of the prison itself, as being at least unnecessary, we examined the gaoler on the subject; and he disclaimed all knowledge or participation in any such proceeding.

Evidence, p. 72.

Ibid. p. 53.

Notwithstanding the allusion in Mr. Wardell's letter to the clerk to the magistrates, to "the variety of matter which he had submitted to the House of Commons," it does not appear that any representation was ever made in his behalf to that Honourable House, and it is therefore reasonable to presume, that he meant to refer to the matter contained in the petitions of Samuel Scuffum, William Goulden, George Tengait, and John Hankin; the first of which was presented to the House on the 11th, and the three others on the 16th of June, the signatures of the petitioners having been attested either by Mr. Wardell or by James or William Mallalieu.

Those petitions, of which we obtained copies through the proper channel, will be found in the Appendix; but the several subjects of them shall here be stated.

App. No. 31. 32. 33. & 34.

The petition of Samuel Scuffum, the signature to which is attested by Mr. Wardell, described him as having been a respectable innkeeper in Manchester, and of unblemished character. He there stated, that in October last, the gaoler, to whom it had been falsely represented by one of the turnkeys that he had attempted to make his escape, reproached him in very violent and opprobrious terms, for having done so; charged him, according to the character he had heard of him, of being capable of taking a false oath; ordered the standard to be brought that he might take his height, and desired him to take off his clothes that he might examine his person for marks; which, as the petition alledged, was only done to felons, informing him, that he would iron him if he did not comply; that having put on his hat in the gaoler's office to go out, the gaoler called him back and ordered him to pull it off, which he refused to do, in consequence of which he ordered the petitioner to be closely confined in one of the cells; that he was accordingly put into a cell where there was no bed, and where convicts were put; and there confined for three days and two nights; there being a fire in it when he first entered it, to air the blankets of criminals, but none afterwards; that he was refused the use of pen and ink; that Mr. Stanton, a comedian, having called upon him while he was thus strictly confined, was refused access to him; and on the same evening Mrs. Clementson, a laundress, was also refused

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admittance to bring him clean linen; that the petitioner having written to the gaoler threatening to complain to the mayor, he called and told the petitioner that the mayor could be of no service to him, as he (the gaoler) could put him in irons, and turn him into the yard; and that the petitioner's good character suffered severely from his having been so cruelly treated.

The allegations in this petition were entitled to particular attention, as being of a nature which, if true, would have demonstrated that the gaoler, instead of discharging his duty with that gentleness and humanity which had been ascribed to him, was addicted to very overbearing manners, and capable of great tyranny and oppression. On the other hand, if all or any of them were directly false, the spirit and purpose with which so solemn a mode of complaint as that of a petition to the House of Commons was adopted, would be exposed in the light they deserved. It will therefore be seen that we examined witnesses to ascertain whether there was reason to believe that this person (who had been on the stage, and was a very young man, so that if he was "formerly a respectable "innkeeper in Manchester," he must have been so for a very short time) did really intend to make his escape; and we also took down the full detail he gave of all the circumstances of which he complained, without interruption, and exactly as he gave it.

On the subject of his intention to escape, it was proved, by the concurring testimony of two witnesses, that a night or two before he went down to the gates, and was sent back by the turnkey, as will be presently stated, he swore in terms denoting great profligacy, but which it is unnecessary to report, That
Evidence, p. 43. "he would make his escape if he could." And his own evidence before us directly contradicted some of the material allegations in his petition; while it contained a description of his manners such as sufficiently accorded with the testimony of another of the debtors, a man of decent appearance, describing himself as having lost his situation as clerk in a counting-house at Manchester,
Ibid. pp. 65 & 66. in consequence of the bursting of a blood vessel, who deposed that "Scuffum "said, in his presence, and he could bring witnesses to prove it, that he would "swear any thing to benefit himself." The principal points on which the evidence of Scuffum contradicted his petition were these: instead of the representation given in his Petition of his having been thrown into a *cell*, where convicts were put, he stated, in his evidence before us, that he was confined in the lock-up or strong room used for refractory debtors, which we have already described as a sufficiently good apartment, and which indeed he never called a cell before us; and so far from his having been without a bed to sleep on, the accommodation and civility he experienced in that respect are apparent from the account he gave us of the manner in which he was treated by Cooper the turnkey; the same man who was accused by Unthank, one of the associates of
Ibid. Mr. Wardell, of having "murdered Rawlinson," the lunatic. It is in these words:
Ibid. pp. 43 & 44. "Cooper then made my bed upon a wooden horse (a species of bedstead fre-"quently used in prisons) in the room where I was; he put on the blankets that "were airing, and I told him he need not, for I would not sleep in them, as "they were criminals blankets. He then very politely said, there was a pair of "new blankets, and he brought them and put them on the horse; he then went "away, locking the door, and wishing me good night." Instead of Mr. Stanton, a comedian who called upon him having been refused access to him, as set forth in his petition, he stated in his examination before us, that having sent for Stanton he came to the room, where, with other debtors, Scuffum had been before con-
Ibid. p. 44. fined, and hearing it said that he had attempted to make his escape, Mr. Stanton said he was sorry for it, and "as he was not particularly acquainted with him,
Ibid. "he should decline calling on him," the other debtors informing Stanton that he "was a stranger to them all." Instead of Mrs. Clementson, a laundress, having been denied access to him with clean linen, and his having been refused the use of pen and ink, as alledged in his petition, he stated expressly before us, that Mrs. Clementson the laundress, had access to him and brought him linen, and also pen, ink, and paper. And lastly, instead of his not being allowed to have fire, as his petition stated, it appears from his own evidence before us, that no objection was made to his having fire; and that a fire was in fact lighted for him by the man who worked in the yard, as soon as he received coals from the room to which he belonged. Nor is it immaterial to observe, that Mr. Unthank, the

the associate of Mr. Wardell, came forward as Scuffum's friend on the occasion, and threatened to write to the mayor in his behalf; he himself having told Mr. Higgin that he should "seek for redress at another quarter."—Indeed, it appears from his own account of the beginning of the affair, that when, in consequence of the turnkey's report to Mr. Higgin, of Scuffum's having attempted to make his escape, he was sent for to the office, he there made use of language, and assumed a manner, as if he meant to provoke some conduct of which he might complain. He further stated before us, that the gaoler, having released him from the strong room on his promising to appear at the gate when called for, he returned to the room to which he belonged, where he "remained very com- "fortable," till at the distance of eight months after the occurrence of which he complained, he "petitioned Parliament," which he said caused "a great "difference in the yard," and seems to have given much offence to the debtors in the room where he lived. His account of what passed is in these words: "They told me in the room, that if I would not give up walking with "Mr. Wardell, or any other person they did not like, they would turn me out of "the room; but if I did, and would shake hands with them all round, I might "remain. I told them I would not, for if I did I should break my promise." He then stated that several of those debtors, whom he named, followed him as he was walking under the arcade, and called him "Petitioner," and "Sir Francis "Burdett;" on which Mr. Higgin came up and asked him if he had begun the disturbance? which he denied; that at night the other debtors "hooted him out "of the room," on which he applied to Mr. Higgin, who went up to the room, but what passed there between him and the other debtors he did not know; that Mr. Higgin then carried him up to a room in the hospital, and said to him, "Scuffum, how contemptible you make yourself look in the eyes of your "brother debtors; they accuse you of theft in your room;" afterwards saying, "I had asserted things in my petition which I could not prove;" that he then asked Mr. Higgin to intercede for him to get him back to his own or into another room; and, after being two nights more in the hospital room, he was desired to go back to No. 4, the room out of which the other debtors had turned him; but not being able to pay the money they required of him, he requested to go to the constable room, where the poorer class of debtors are confined, and where he had since remained.

Evidence, p. 43.

Such, according to his own statement, were the leading circumstances of the case of Scuffum, whose petition (the signature of which, as already mentioned, is attested by Mr. Wardell) represented him as a miserable sufferer, under the tyranny of a cruel gaoler; who had been forced, by the extraordinary hardship of his situation, to that extreme measure, for protection and relief; "being unable (as he there states) "to defray the expense of seeking redress at law, and having "no other refuge but in the justice and humanity of the Honourable House of "Commons."

The petition of Goulden, the signature to which is attested by William Mallalieu, in the first place, charged the gaoler in direct terms with the cruelty and baseness already described, of having prevented him from obtaining the benefit of the charity for defraying the expense of procuring his supersedeas or discharge, because the petitioner had employed one Parsons in that business, and not the gaoler's son, Mr. John Higgin, as an attorney; and next accuses the magistrates of having taken from him the county allowance, for giving evidence in support of the above charge, when brought before them by Mr. Wardell as already stated; both of which charges were completely refuted by the evidence before us. But as it respects the conduct of Mr. Wardell, and the concert between him and the other persons who have been mentioned, it is necessary to state, not only that this petition is proved, by Goulden's evidence before us, to have been drawn up by Mr. Wardell, but that the serious charge it contains against the gaoler was inserted by Mr. Wardell entirely without the knowledge of the petitioner, who cannot read, and contrary to his wish. He expressly swore, that he never made or meant therein to make any complaint whatever against the gaoler, but only against the magistrates, for taking from him the county allowance; of which it is clear, from the facts set forth in his own evidence, he had been most properly deprived: in short, it appears from this evidence, that Mr. Wardell inserted in the petition whatever he thought proper; and that the charge against the gaoler, forming by far the most important part of its contents, was suppressed in reading it over

Evidence, p. 45.

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over to the petitioner; as he swore, that though the petition was read over to him, he never heard any thing of that charge.

The petition of George Tengatt, the signature to which is attested by James Mallalieu, complains of the magistrates for taking away his county allowance, on the ground, as he alleges, of his having given testimony that one Hayes, when a prisoner for debt, had complained to him of the gaoler for having refused to "supersede for him because he had employed Parsons;" but his evidence before us affords reason to think that he was concerned in riotous proceedings in the prison; and indeed, he states, that the gaoler informed him, the allowance was taken from him by the magistrates, because they were satisfied he was one of the combination to create a disturbance.

Evidence, pp. 53 & 66.

The petition of John Hankin, the signature to which is attested by William Mallalieu, introduced the charge against the gaoler for suffering the nuisance already described to remain "for an unnecessary length of time;" and complained of the magistrates for depriving him of the county allowance, for no other reason, as he alledges, than because he had given his testimony in support of the charge against the gaoler on that head; whence he argued, "that there could be no "safety in a place where such authority is exercised; and that it must effectually "crush any attempt at redress of the many grievances existing in the prison." But the petitioner in whose name this representation of the "many grievances" in the prison was submitted to the House of Commons, when examined before us, and apprized, in common with all the other prisoners, that it was our duty and object to hear and examine into all complaints respecting the management of the prison, neither made, nor alluded to any grievance whatever, excepting only the disagreeable effect, for a day more than ordinary, of the nuisance before mentioned. He added, that he had no other reason for saying that the county allowance had been taken from him in consequence of his having given evidence on that subject, than that it was taken away immediately after; whereas it appeared from his evidence before us, that if not actually concerned in a combination with Mr. Wardell and others to create disturbance, he was at that time very intimate, at least, with Wardell and William and James Mallalieu. This testimony has been already referred to, in proof of the expressions of malice and resentment made use of by those persons in his presence against the gaoler, when he admitted, what might indeed be inferred from such confidential communications, that he was on an intimate footing with Mr. Wardell.

Ibid. p. 66.

Ibid. p. 57.

The case we have now to state; viz. that of John Spencer, had not been made the subject of a petition to the House of Commons; but appears to have been brought forward from some strong motive; the complainant having been discharged from prison in March last, and put himself to the expense and trouble of travelling from Manchester, a distance of fifty-eight miles, to exhibit his grievance before us. This he said he did in consequence of a letter which he received from William Rideal, a prisoner for debt, informing him of our sittings, and that he "had no time to lose." This William Rideal, it is necessary to observe, had been himself discontented, on account of his having had the county allowance taken from him, for resisting the admission of another prisoner to the room where he was confined, and writing "spiritedly," as he expressed it, to the gaoler on the subject. He was also, it would seem, on very bad terms with his brother debtors, by whom he said he had "in every way been insulted and abused." Summoned by this man, Mr. Spencer entered the room in a manner which certainly shewed that he was lame, and having been duly sworn, gave an account of the battle he fought in the castle yard, with his former brother debtor Unthank, who had himself laid before us a description of that occurrence. He complained, that his leg having been broken in the contest, had been very improperly treated by Robert Higgin, a son of the gaoler, and a pupil of Mr. Baxendale, the surgeon to the prison; that this young man had attempted to set it, but he had been assured by the two Mr. Mallalieus, who had been frequently mentioned in the history of those discontents, and whom he had consulted as having each had a leg broken, that his leg was not set; which opinion, so given by Messrs. Mallalieus, was confirmed by Mr. Howitt, a surgeon of the town, whom he sent for, and who declared that the leg had been improperly treated. He also complained that Mr. Howitt the surgeon, having called at the gate, had been refused admittance, but that next morning he was received, and gave the opinion just stated

Ibid. p. 65.

stated, which on being examined he confirmed before us. On the point of practise in surgery we can only refer to the circumstances stated by Mr. Baxendale when examined before us, and who ascribed the difficulty of cure to the intemperance of the patient and the effect of the gout, to which he was subject, and which attacked the foot of the leg afflicted. As to the refusal to admit Mr. Howitt on his first visit, the reason assigned was, that no person was admitted so late in the evening, as the time at which he called; and Mr. Howitt said that he was not certain whether he had told the turnkey that he called to see a patient. PART III. Evidence, p. 65.

Frances Ogden, of the female debtors ward, complained, that a female, whom she judged to be of an improper description, had been confined in their ward, and that the younger Mr. Higgin, on being requested to have her removed, declared there was no other apartment for her. The woman she complained of was in bad health, and attended by the surgeon, but the complainant did not impute her illness to any vicious courses; while the surgeon declared that he had not heard of any venereal patient being in the female debtors ward; and that any person in that state would have been immediately sent to the hospital. It is proper to add that the female complainant in this case, accused the gaoler of having refused Mrs. Wardell and Mrs. Unthank access to the female debtors ward to pay her a visit, and that having got out of the ward one Sunday to go to chapel, instead of going there, she went to visit Mrs. Unthank, when she was immediately forced back into her room. On the first charge, the gaoler, when examined before us, said, that access was refused to those two women "on account of their refractory "behaviour;" and on the second charge Mr. Higgin junior, having been examined, stated the fact to be as follows:—"She sent for the key that she might "go to chapel, but instead of going there she immediately went up into the male "debtors rooms. I instantly informed my father, and he directed that she should "either go to chapel or return to her ward, as it was against the rules for female "debtors to go into the male debtors rooms;" which rules he added were universally enforced, when a person transgresses them, to avoid chapel. Ibid. p. 78. Ibid. p. 71. Ibid. p. 73. Ibid.

Having now exhibited the nature and circumstances of the several complaints, which were either directly preferred, or incidentally suggested, in the course of our investigation, respecting the management and controul of the debtors in the gaol, and the conduct of the gaoler throughout all the different parts of that most difficult duty, we feel ourselves bound in justice to declare, that he has passed through the trial in a manner which cannot but confirm the good character he had before acquired. But we ought not to dismiss the subject with this general expression only of our approbation. It is our duty more particularly to declare, that every circumstance which came under our observation has evinced his disposition to administer relief to those who were suffering under the pressure of sickness or extreme indigence; or of that frequent cause of mortification and misery among prisoners for debt, the ill-treatment they receive from those with whom they are forced to live; his readiness to give assistance and advice for the settlement of differences among them, when there was any likelihood that his interposition would have effect; and the correct and proper application of such charities as are distributed under his recommendation. We ought further to add, that a succession of debtors in the gaol, who from their appearance and demeanor (so different from all the indications which distinguished some of those agitators whom the evidence has sufficiently described) as well as from the respectability of their former situation and connections seemed to merit every degree of attention, presented themselves with great earnestness to bear their testimony to the humane and generous conduct of their gaoler, whom they represented as the father and the friend of the indigent debtor. We might have sat a day longer in Lancaster Castle, to hear all the evidence which was offered to this effect.

Nor is it improper in concluding this branch of the subject, to refer to a letter, dated the 20th of August last from Mr. Wardell to Henry Parsons of Lancaster, which having been lately transmitted to us and duly authenticated, will be found in the Appendix. We hope it is hardly necessary for us to say, that in every article respecting the communications which he would have it believed we had confidentially made to him, of the opinions we had formed on the management of the gaol, it is totally destitute of truth. Except when he accosted us in the debtors yard on our first inspection, and mentioned the subject of Rawlinson, we never App. N° 36. p. 97.

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saw him but during the time of the two examinations he underwent; and the story he relates of our having threatened Thomas Higgin, and other circumstances regarding that occurrence, which went no farther than the admonition we have already referred to, are equally untrue. On his offers, as officially authorized, to Parsons, no comment is necessary.

Evidence, p. 70.

Our inspection of the several wards and apartments allotted to the crown prisoners, brought nothing to our view that was not creditable to the gaoler and his servants. The yards, staircases and cells, were all in a state which shewed the attention of the officers to the cleanliness, health, and reasonable comforts of the criminals. Nor did the prison exhibit such an appearance, as led us to suspect that it had been swept and garnished for the occasion, while the evidence went to shew that it was always in the state in which we found it. To the credit of the prisoners it ought also to be observed, that we uniformly found among them a ready disposition to acknowledge this attention to their wants, as already stated. Although we were quite alone, and entirely out of the hearing of the turnkeys, yet, with a single slight exception, their answer to every inquiry respecting their treatment was, that "they had nothing whatever to complain of."

The only complaint we heard, was in the female ward. They complained that they were not allowed to purchase tea and coffee, while that liberty was not denied to the male convicts. The reason assigned for this restriction was the practice among the females, before they were restrained in this particular, of selling their bread to buy what afforded them so inferior a nourishment, whereby their health was materially affected. It occurred to us, that this practice of disposing of their bread could only take place through the agency of the turnkeys; and upon enquiry we found the case to be as we had suspected. It was evident that the proper course was to take away the means of selling the bread, by interdicting all such improper traffic, which would remove the restriction of which those women complained, and withdraw a strong temptation to abuse and oppression in the servants of the gaoler.

We examined the scales and found them true, and the weights agreeable to the standard. A loaf which we took promiscuously from a number of them weighed down 2 lbs. which was the weight prescribed.

We went into one of the wards while the prisoners were at dinner, without any previous notice of our intention. Each had a dish full of boiled potatoes, and some had meat with it, which had been saved from the dinner of the preceding day (being Sunday;) on which day, as has been observed, they have an extraordinary allowance. Their potatoes and meat appeared to be of a good quality; and some milk women were at the same time selling milk through the wickets, which seemed to be unmixed and good.

The public kitchen is very clean and commodious; and the victuals appeared to be well dressed.

The plan of the criminal side of the prison admits of a classification of the prisoners, according to their characters or crimes. In one of the four wards, prisoners for trial are usually put by themselves, except where one of that description happens to be a notorious offender; in which case he is put into one of the convicts wards. The third ward is chiefly for felons sentenced to transportation; and those who come from the Salford Sessions, for terms of imprisonment, are generally lodged together in the fourth ward. The large room in the great tower, called Hanway, is used for the most orderly class of convicted prisoners, selected from the other wards for their good behaviour; and in another large chamber over the chapel are placed the misdemeanor convicts. In the last mentioned room, however, we found a man who had been brought in to take his trial for manslaughter, and in the crowded state of the gaol at the time of our visit, it being the week before the assizes, the gaoler confessed a difficulty in distributing the prisoners with reference to the degrees and distinctions of either crimes or characters, in the manner in which he was desirous of doing it.

With respect to the women, no classification of offenders is practicable under the present arrangement; there being but one ward.

The crown prisoners are usually punished, when punishment is necessary, by a suspension of their Sunday allowance, or their share of their earnings; and when these

these lenient corrections are ineffectual, by solitary confinement, and sometimes with the addition of fetters, which however are very rarely used. No person in the gaol, male or female, is kept in irons, except for punishment; nevertheless it appears, that no escape has happened for ten years past.

More than two or three instances of corporal punishment have not occured during these last thirty years. In those instances the offenders received about a dozen lashes, and their punishments were recorded in the book; but they never were inflicted till the ordinary modes of correction, by taking away the Sundays dinners, or a few days solitary confinement, or putting in irons, had been resorted to in vain. Evidence, pp. 39 & 40.

The prisoners are separately lodged, and each has two blankets and a coverlid, which we found clean and of good substance. We observed fires in all their day rooms; by means of which, such as can buy milk to add to their oatmeal, make meal cakes, which are both good and nourishing, and constitute a general and favourite food amongst the labouring poor in those parts.

We have reason to believe, that the practice in the gaol of cleansing the persons, and washing or fumigating the cloaths of prisoners on their first admission, if necessary, is in general sufficiently correct; but it is certain, that we did observe some of the convicts in a very ragged and apparently dirty state.

We have noticed in other prisons a particular room called a Lazaretto, for the reception of prisoners on their first coming; and such a precaution for guarding against the introduction of infectious disorders, appeared to us very laudable.

We found that there were three cases of typhus fever in the hospital at the time of our visit; and it was the surgeon's opinion, that it had been brought in by some persons of the manufacturing class lately received; being a common complaint among the cotton manufacturers; attributable, as he conceived, to close confinement in crowded apartments. The greatest number of such cases he ever had at one time was six, and none of them arose from any thing in the castle, the situation of which the surgeon considered as healthy; and the gaolor's attention faithful and conscientious. Ibid, p. 63. Ibid.

An asylum for lunatics is now erecting in the neighbourhood of Lancaster; but in the meantime lunatics are confined in this castle. One of those unfortunate persons was confined among the convicts, because he was harmless, and it was judged to be less injurious to him to be kept in this place than in the ward appropriated to lunatics. We doubt however the propriety of this reasoning, as an unhappy being of this description placed in such society, is more likely to become the subject of their sport than of their care or compassion. We observed also one lunatic among the female convicts, a circumstance which seemed to arise from the necessity of the case, as the gaol contains no receptacle for female lunatics. Both these persons it may be proper to remark came into the prison as convicts, the gaol being never used as a receptacle for lunatics merely as being lunatics.

We found four insane persons in the lunatic ward, namely, James Mort, Henry Horner, James Long, and Patrick Davis: these persons had been remanded at different assizes for the county of Lancaster, having been found insane by the Jury on their arraignment or trial for murder. The condition of two of these persons was such as to require a great degree of restraint; it being found necessary to keep them handcuffed and ironed, and frequently to chain them to their seats and beds. The other two were in a more manageable state, and therefore not subjected to the same restrictions.

It appeared that proper pains had been taken to acquire information as to the best mode of treating persons in this condition, and that the gaoler had sent his son to the Manchester Asylum for that purpose. The care of this ward was principally entrusted to Thomas Birch, one of the turnkeys, who attended also on the felons wards, and who was said to be best qualified for the office. In his absence however, the other turnkeys were employed in this duty, and we found that not unfrequently one of the convicts was made use of for an assistant in carrying to the lunatics their meals, and in cleaning out their apartments. A degree of corporal correction has, it is stated, been found absolutely necessary on some occasions in the management of these unhappy men. As none however, but those employed in attending upon them were capable of giving us any information

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information respecting their treatment, we could rely only on an accurate examination of the gaoler and his servants for intelligence on this head, which seemed to exhibit as much gentleness and forbearance as was compatible with the preservation of the maniacs themselves, and the safety of those who attended upon them. We could see no bruises or marks of injury upon their persons; and the coercion to which they were subjected, appeared to be no greater than was necessary in cases of furious insanity.

The nature of the subject suggests the introduction here of the statement we have to make, as the result of our examinations, and with which we will conclude this part of our Report. Respecting the death of the lunatic Rawlinson; to which, in general terms, we have already alluded; and to which, as will be seen from the evidence in the Appendix, we applied a large proportion of our time and attention. The character of this lunatic's insanity was extremely furious. It was in consequence of his having put a man to death in a fit of phrenzy, as found by the jury on an indictment for murder, that he was here confined, and had continued to be so, as before stated, since March Assizes 1809. "Blood! my bloody knife and murder!" were exclamations heard in the midst of the loud and constant cries he uttered during the occasional paroxysms of his disease. He had

Evidence, p. 61.

attempted to put himself to death by hanging, and was cut down just in time to save his life. When under the influence of his dreadful malady, he sprang upon his keepers with the utmost fury, attempting to injure them in a manner descriptive of the wildest ferocity of a distempered mind. For several days and nights

Ibid. p. 60 & 61.

before Saturday the 2d of May, he had been extremely violent; and such was the rage with which he attacked the turnkeys and attendants, that they thought it necessary to strike him repeatedly with a whip, while he cried out as before, and exclaimed, "Murder! kill me! kill me!" The correction was inflicted by

Ibid. p. 59.

Cooper, who swore that the strokes did not exceed eight or ten, which is confirmed

Ibid. p. 60.

by Birch; and that they were applied to his legs and thighs only, he having on thick fustian trowsers at the time. Handcuffs of a particular sort, called the figure of (eight), which keep the wrists close together, were then put on him; but such was his strength and fury, that before morning he had broke them, and thrown them from his cell into the yard. Next morning being Sunday, the 3d of May, the turnkeys finding his handcuffs on the ground and broken, took precautions for their safety; seized him as he rushed out upon them on opening the door of his cell, and getting him down, put on him another sort of handcuffs, called rivetted handcuffs; which, although they leave the hands somewhat more at

Ibid. p. 49.

liberty, are greatly stronger than the other. They also put irons upon each leg, with a chain of about eighteen inches long between them, and a single chain from one of his legs to his hands; there being no reason whatever to believe what was deposed by a crown prisoner of the name of Griffith, whose evidence will be the

Ibid. p. 51.

subject of observation in the sequel, that the lunatic had also a chain round his

Ibid. p. 60.

middle, to which his arms were fastened; all the other witnesses having given testimony to the contrary. In this state he continued during that day, and also on Monday and Tuesday, being at times extremely violent, and having torn off

Ibid. p. 55.

the greater part of his cloaths. On Tuesday, Colonel Bradshaw, a magistrate who had come to the gaol on other business, having desired to see him, he was turned out of the cell, in which, for the purpose of preventing him from injuring the other lunatics while they walked in the yard, he was at that time confined: and that magistrate, when examined before us, described him as appearing to be "in perfect health, but furiously mad." He further stated, on being questioned on that subject, that his clothes being torn, and his trowsers hanging over his irons to his feet, he saw great part of his naked body, all of which had a healthy appearance, without any marks of violence on any part of it, that he saw. He added, that if there had been any such on his legs and thighs, he must have seen them. The lunatic, who still continued at times extremely violent, though in his usual bodily health, never ceased when in that state, both night and day, from uttering dreadful cries, which were heard till about three o'clock on Wednesday morning. On that morning (the 5th of May) about eight o'clock, he was found lying dead on his back in his cell, apparently strangled with shreds of stockings, twisted and knotted very strongly (he had been a weaver by trade) into a cord, which was extremely tight about his neck, his stockings being off, and his irons on, as they had been already described. The gaoler was immediately sent for, and thinking, as he stated, that the man might not be quite dead, he ordered the cord to

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be taken off his neck; but on finding that he had been dead for sometime, he directed the body to be laid out in the large room in the new tower; the irons being previously taken off; and at the same time wrote to the coroner of the hundred of Lonsdale, who lives at Preston, apprizing him of the event. An inquisition was in consequence taken in the Castle on the day after the notice was received; and the coroner, when examined before us, gave an account of the proceedings as follows: "The body was close to a window; I took the sheet from the upper "part of the body, and observed a livid mark about the neck; I told the jurors "they were at liberty to inspect the body if they pleased, and after the witnesses "were examined, I left the jury and other persons in the room with the body, "while I retired to prepare the inquisition for their signature." On being asked whether he had called in a surgeon, as he was not one himself, he answered, that he had not, and gave the following reason: "I saw the livid mark about his "neck, I knew that he was a lunatic, and understood that he had strangled "himself, and the cause of his death appeared to me sufficiently apparent, "without calling for the opinion of a surgeon; besides, I had had no intimation "that there was any suspicion of his having died in any other manner than by his "own hand." In answer to the question, whether he had any intimation of his having been violently beaten, or beaten at all, he further stated that he had not, and that he did not observe on that part of the body which he saw any marks of violence or bruises, except the mark upon his neck. In answer to the question, if he had any copy or minutes of the evidence laid before the jury, he answered, "I have not; the jury heard the witnesses, and I did not take any minutes;" an irregularity on which, with other circumstances, we shall presently make some remark. The verdict was, that the deceased had strangled himself with his stockings. The death of this Lunatic was an occurrence of a nature to attract the notice, and enter into the conversation of all the prisoners in the gaol; but we did not find that any observations were ever made upon it of a tendency to impute blame to the gaoler or his servants, except by Mr. Wardell and the other persons comprising the small party of debtors, who have already been conspicuous in this Report. The spirit and dispositions, which the evidence we have quoted respecting the debtors department in the gaol, has shewn that they entertained towards the gaoler and his turnkeys, were on this occasion roused into full activity against them; and the publication of the charges they directly made, were carried far beyond the walls of the Castle. By Mr. Wardell and his wife it was even insinuated that Rawlinson was not insane; but the great bent of every suggestion was, that the "flogging," as Mr. Wardell termed it, or the beating, as "if with a stick," according to the account given by Unthank and William Mallalieu, which the unhappy man was said (in terms of description much stronger than it appears, from the rest of the evidence, was warranted by the fact) to have received from Cooper, four days before he was found dead, was the cause of his death; which it was strongly urged, and not without the appearance of reason, that a person so ironed could not possibly have effected his own destruction by strangulation.

Evidence, pp. 63 & 64.

Ibid. pp. 47 & 64.

This last suggestion had attracted much of our attention: and in order to satisfy ourselves completely on the subject, it will be found in the evidence, that we put a man exactly in the same irons before us, with which Rawlinson had been fettered at the time of his death; and then ascertained whether he could by any means in that state have taken off his stockings, cut them in shreds (a sort of knife, which he appears to have made out of a piece of iron hoop from his tub, having been found by him) and tied the cord thus formed round his neck, so as to effect his death; and however difficult it seemed at first to conceive it, we were perfectly satisfied, from the action of the man we had ironed, that he could.

The result of this experiment, with the evidence of the various persons whom we examined, particularly of those who manifestly wished to criminate the turnkeys, and in an especial manner of Thomas Griffith one of Mr. Wardell's witnesses, a crown prisoner who was then undergoing his punishment of two years imprisonment, and who gave a detail at second hand, of circumstances which could not be true, and in a manner which we do not pretend to describe, joined to the excellent character given by Mr. Bradshaw the magistrate, of the turnkeys, Cooper and Birch, removed every doubt from our minds, and proved most conclusively in our judgment, that the strokes of the whip which the

Ibid. p. 51.

Ibid. p. 55.

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miserable man had received several days before his death, during which he was in perfect bodily health, had no connection with the cause of his death; and that in fact he had destroyed himself in the manner, which the verdict of the coroner's jury had described.

But, without imputing to the gaoler in the slightest degree any want of good intention, it is impossible not to observe on his inadvertency in giving such directions as materially changed the state and circumstances of the body before it came under the view of the jury. The cord might have been loosened, if there existed any ground for thinking that the man was not dead; but as soon as it was discovered that he had been dead for some time, the body ought to have been kept in the exact situation and place in which it was found, with the cord round the neck, and the irons on, that the jury might exercise their judgment on every circumstance which had attended the death. The irregularity of the coroner in not directing the Jury to inspect the naked body, as well as in not seeing it was done, is also a fit subject of remark. He ought never to have permitted any private impression of the fact on his own mind to interfere with the duty of securing a full examination of the case; and nothing can be more clear, than that minutes of the evidence ought in all such cases not only to be taken, but carefully preserved.

PART IV.

MISCELLANEOUS OBSERVATIONS.

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WHEN it is considered that the gaol of the Castle of Lancaster has been used as a receptacle for all description of prisoners, for debtors, and for felon convicts, as well as for those sentenced for misdemeanors; that it receives persons committed for trial, for re-examination, for want of sureties, and all other classes of Bridewell prisoners; that this motly crowd of debtors, criminal offenders, and suspected persons, are under the government of an individual, whose duties and powers are as various as the different classes of prisoners under his custody, and who with respect to the most numerous class, possesses but a dubious and lax authority, the task of that individual must be acknowledged to be difficult.

In pursuance of our commission, we have stated the result of our enquiry into the conduct and management of the gaol under these difficulties. We have stated that in the criminal wards, with one inconsiderable exception in the females ward, not a word of complaint was ever uttered; and with respect to those complaints which were preferred to us by a few of the debtors, who appeared to be intimately connected with each other, many, if not most of them, have been found, upon examination, to have been entirely destitute of foundation; some of them having arisen from causes out of the compass of the gaoler's power to remedy or remove; while those which have in part been made out, cast no imputation upon his probity, humanity, or fidelity. In support indeed of the high character, which during a service of thirty years he has acquired for those qualities, we have already stated that much more evidence was offered as ready to be given, than we deemed it necessary to receive.

Debtors being committed by the law to the custody of the sheriff, are, as the law now stands, capable only of imprisonment in the county gaol, which is alone the sheriff's prison; but the wide difference in the treatment which the law prescribes for these prisoners, from that which it enjoins towards the other inhabitants of the gaol, casts upon the gaoler a difficulty in the application of his rules and principles of management, which is apt to perplex his system, and often to lead him into practical mistakes. It is on this account, and for want of a defined power, and fixed modes of discipline, applicable to the debtor prisoners, as well as in many instances from the effect of their own previous habits, and assumed consequence, that the disturbances in gaols are invariably found to exist in this department; and we believe that every gaoler who is consulted on this subject will almost in the same terms lament that the law has placed those very different classes of prisoners within the same walls. There is, indeed, strong reason to apprehend that it may operate to debase and corrupt the debtor himself, by reconciling his mind to the infamy, with which he feels himself surrounded; and

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to render him less mindful of his duty, and less amenable to wholesome regulation in the situation in which he is placed.

The disorderly state of the debtors in most of the county gaols suggests the urgent expediency of carrying into effect the 6th section of the Act already referred to, called the *Lords Act*, which directs the making of proper rules and orders for the better government of gaols and prisons, and the prisoners confined therein; and authorizes this to be done, in the first instance, by the magistrates at their sessions, and to be afterwards reviewed by the judge or judges of the assize, at the next assizes for the county. As the gaoler of Lancaster Castle seems to be impressed with the necessity of obtaining the sanction provided by the Act, to a fixed, steady and legal body of regulations, for the government of the debtors, and has not been wanting in exertions to obtain so desirable an end, we trust that before this report shall be laid before Your Majesty, we shall hear of his wish being accomplished.*

The fourth section of the *Lords Act*, which is introduced in our Appendix, seems to us to have been generally understood in a sense beyond the meaning of the legislature. We presume to think that a rule of moderation, in respect to the quantity of beer and ale permitted to be purchased or consumed by a single debtor, cannot be justly regarded as inconsistent with the spirit or letter of the clause in question; and that the authority given by the same act for the framing of rules for the better government of prisons, implies a restraint upon all opportunities and means of gross intemperance, or riotous excess. The evidence before us attests many instances of inebriety among the debtors, and of the violation of the peace, as its natural consequence.

Appx. N° 4. pp. 79 & 80.

But rules and orders however good in themselves, will be of no avail without the eye of the gaoler; whose visits to all parts of the gaol ought never in our opinion to be less frequent than three times in every week. Should he be necessarily absent on other duties; on those occasions his assistant ought to discharge that duty. We would further suggest that a correct journal should be kept of every event of any importance to the quiet or good order of the prison.

As the rules for the government of the prisoners of all descriptions may from time to time be altered, the only true ground on which their improvement can be founded, will be the journals of the gaoler, the surgeon, the chaplain, and the visiting magistrates. That such journals have not been regularly kept has been admitted; and it cannot be doubted that considerable inconveniences must have arisen from the omission. The practice of recording whatever is done in the execution of official duty, serves to check the natural tendency to relaxation, and does justice to the merits of those who faithfully discharge their duty.

If in the classing of prisoners any regard is to be had to the moral state of their minds, (and it is impossible not to wish that a place could be allotted for those who exhibit signs of amendment in that respect) nobody can be so fit to ascertain the reality of these appearances of rectitude, and to improve them, as the chaplain of the gaol. Nor could any journal of events be more interesting and instructive, than one which marked the moral effects of different modes of punishment, and the happiest methods of turning to their right account the opportunities in particular afforded by abstinence and seclusion.

That the surgeon should keep a record of the events which pass under his professional view, is material in point of justice to the general police and management of the gaol; for no person can be a better judge of the attention paid to the bodily wants and necessities of the prisoners, to ventilation, cleanliness, nourishment and warmth. And his diary, while it checked the conduct of the gaoler and his servants in these respects, would afford the best evidence in justification of that conduct when wrongfully impeached. Nor could the observance of the useful practice of keeping journals in the gaoler, the chaplain and the surgeon, be better enforced than it would by the constant requisition for such journals on the part of the Magistrates of the quarter sessions. We found this observation on the fact, that the omission to keep such journals has been ascribed to the apparent indifference of the Magistrates about them; in consequence, as it

Note—* We are informed that the Judges of Assize have since approved and confirmed the Rules in question.

has

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has been stated to us, of that perfect confidence which their knowledge of the gaoler and the high character he has acquired during his long course of service, have led them to repose in him. But here we are bound to observe, that no such confidence, however well placed it may be, ought ever to supercede, or induce any relaxation in the discharge of those superintending duties, whether of the nature now alluded to, or those of regularly visiting and inspecting the gaol, and recording such proceedings, which the law expects of that respectable body of men.

We cannot help regretting that the Castle of Lancaster has been used for the reception and custody of such a miscellaneous assemblage of prisoners; as it must tend not only to distract the gaoler's attention, but to render it impossible for him sufficiently to provide for that separation and classification, which is indispensable to a discriminate execution of justice upon offenders, and to the beneficial object of moral correction. The purposes of a penitentiary house and a house of correction, are so distinct and peculiar, as not to admit of being incorporated with the plan of a county gaol, without a mutual disturbance of their respective arrangements.

A gaol is sufficiently occupied with those who are necessarily in the custody of the sheriff, as debtors, felons, convicts, persons detained in imprisonment under sentence on trial for misdemeanors, or other offences at common law, and such as are committed for trial by jury, who must be produced by the gaoler, as the sheriff's delegate, when called on by the court. As the specific purpose of the house of correction, which is to check and intercept the beginnings of crime, as well as that of the penitentiary house, which is to punish and reform gross delinquency, requires an exclusive dedication of time, place and attention, so the multiplied purposes of the county gaol demand that it should be disencumbered of all business which does not necessarily belong to it, in order that due attention may be paid to the arrangement and disposition of that which does. The two great leading objects of all prisons seem to be, as far as they are attainable, the carrying of the spirit of the law into effect, with respect to the proportion of punishment, and the directing of the punishment itself, to the great purpose of amendment. It was therefore, with satisfaction, we found that here the gaoler has endeavoured to classify the crown prisoners according to the state of their habits and morals, as well as the nature of their crimes.

In our detail of the application of the different parts of the gaol, we have noticed the allotment of a large room in the citadel tower for the best disposed part of the felon convicts. Upon the first entrance or conviction of a prisoner, the nature and degree of the offence seem to form the most proper rule in the assignment of his place; but with a little observation an attentive gaoler may soon discover a difference in disposition and principles among the same class of offenders, which will help him to a better criterion in determining the distribution. And in this selection and distribution, it appears to us that an important service might be rendered by the zealous co-operation of the chaplain.

We think it clear that there should be one ward into which, on account of the society alone, and for no other considerations of privilege or advantage whatsoever, those in whose minds repentance has found some place, may be put together, to pursue their progress in amendment without molestation or ridicule from others. Nor would this be attended with much danger of hypocrisy in the criminal, or of favouritism in the gaoler; for none will be sensible of the value of the distinction but those who are sincere in their reformation.

It seems also to be well worthy of consideration, how far a School on Sundays might, with beneficial effect be established in this Select Ward. Religious Tracts should be supplied, under the Chaplain's direction, at the expense of the county, as appears to be done at present for the use of the prisoners at large. It is also, in our opinion proper, that such religious tracts, under the same superintendence, with some kind of employment, should be afforded to persons under solitary confinement for penitentiary purposes.

The scheme of selection which we have recommended in respect to felon convicts, may be adopted, as it appears to us, with equal advantage in respect to those under sentence for misdemeanors, in the character of whose minds, no less than in the degrees of their offences, wide differences will doubtless be found to exist.

exist. And if these observations are correct in respect to the male prisoners, they must apply, perhaps with greater force, to the females. And on the subject of the management particularly applicable to them, the propriety of committing the more immediate care of them to one of their own sex, acting in the capacity of Matron, has occurred to us, as well worthy of consideration. Indeed, our visits to other gaols have enabled us to say, that this has been found to answer in practice; one of the best behaved among the elderly prisoners being employed in that capacity. It is not certainly consistent with the decency due to women, whatever be their situations, confined as they are separately from the other prisoners, that access should be had to them at all times by turnkeys and their assistants.

Some other Rules, in respect to the separation of prisoners, present themselves as being in the highest degree expedient; persons detained for further examination, who may never even be committed for trial, ought, we think, to be treated in a very different manner from convicts, or even committed persons to whom may be attached a certain portion of presumptive guilt. These persons, so detained for further examination, ought surely, not only be kept separate as a particular class, but to be allowed whatever reasonable comforts they can purchase or procure. For reasons of another kind, those who have been admitted to give evidence against their accomplices, should be entirely detached from all other description of prisoners, as we have observed to be the judicious practice in some other gaols. And those who are committed for want of sureties on Exchequer process, or on forfeiture of bail, and such as are in strictness Fines, do not deserve the superadded penalty of being associated with criminals. But on these and similar subjects we cannot help regretting the disadvantage under which we have formed our opinions, from the want of journals by any of the officers of the gaol, or book of minutes and observations by visiting magistrates.

It appears in an earlier part of our Report, that there are sufficient conveniences for setting the criminals to work; and that the principal if not the only work, is the manufacture of the county—viz. the weaving of cotton. Employment is a truly desirable part of gaol economy; but it never should be forgotten, that the saving to the county, and the pecuniary benefit to the individual employed, are only secondary objects. It ought principally to be regarded as a feature of discipline, and as a powerful auxilliary in a meliorating system of management; but to the extent in which it operates to mix the different orders of criminals together, it must be regarded as detrimental in its consequences. Those employments which most admit of separate occupation, seem therefore to be greatly preferable, with a view to the beneficial effects upon morals.

For the employment of debtors there are no workshops or accommodation of any kind in the gaol; a circumstance we think to be regretted, as much of the turbulent manners and disorder observable in that department of it may probably be ascribed to the state of idleness in which in general they live. At least their idleness should not be involuntary, as far as it can be prevented by affording them opportunities of carrying on inoffensive trades or professions without interruption, the permission or means allowed them, and of which some of the debtors in this gaol avail themselves in this respect, as already mentioned, being of course extremely limited. Part of the voluntary employment thus proposed may always consist in keeping the prison in perfect order and cleanliness, for the double purpose of preserving health and improving the manners and habits of the prisoners themselves; and in this view we think that the cleanliness of a prison can scarcely be carried to an excess.

Such debtors as are unable to find themselves in the common conveniences of life might, we think, be supplied with them at the county expense, on condition of their working out an indemnification to the public by the labour of their hands in such employments as may suit their capacities or former habits, for which materials should be furnished at the public cost, to be defrayed by the retention of a proportion of their earnings. And it appears to us that a source of much disturbance in the debtors wards would be removed, if the gaoler or one of the officers, were in the regular practice of conducting every new debtor into the apartment proper to receive him, and suited to his ability in the amount of the entrance or contribution money to be paid to the fund for coals and other conveniences in that apartment. In other gaols we have observed that the bedsteads

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of the debtors are so constructed as to shut up with the bedding, and be removed out of the sleeping rooms in the day-time, which would be a practice very eligible in Lancaster Castle, on account of the numbers at certain periods in the occupation of each apartment. And it would be well if the gaoler were to adopt the practice of scrupulously examining the bedding sent into the gaol from the town for the use of the debtors, and rejecting such as appeared to be in a foul and unwholesome state, a rule particularly necessary in a manufacturing county. But it appears to us that if the bed and bedding at certain fixed and reasonable rates were furnished by the county for the debtors, as is the practice in some other gaols, the difficulties and inconveniences above alluded to would in a great measure be avoided.

In addition to those observations regarding the management of prisoners while in gaol we would suggest that some part of the charity fund, or of such additional aid as might be procured, would be well bestowed in supplying (as we observed was to a certain degree practised at *Shrewsbury)* such persons as upon their discharge as could produce a certificate of their good behaviour, with the tools or implements of their respective trades; and a small sum of money to prevent the immediate effects of that desperation which the want of resource and of character might otherwise produce. We have been informed that persons dismissed without any assistance whatever, are often known to be brought back to prison on the day after their discharge.

We now conclude the Report, which, in obedience to Your Majesty's command, we have thus humbly submitted to Your Majesty's consideration; and will only presume to add, that as far as our observations have been directed to the purposes of improvement or the prevention of abuse, we have confined ourselves to such remarks as have spontaneously occurred in the direct discharge of our duty, without repeating what has of late years been so well illustrated in theory, and so happily exemplified in practice.

BENJAMIN HOBHOUSE, (L. S.)
THOMAS MACDONALD, (L. S.)
WILLIAM ROBERTS. (L. S.)

30th October 1812.

APPENDIX.

Meetings of The Commissioners - - 12 *August* 1812 - - - - - - p. 33
- - - Ditto - - - - - - - - - 13 *August* 1812 - - - - - - p. 36
- - - Ditto - - - - - - - - - 14 *August* 1812 - - - - - - p. 40
- - - Ditto - - - - - - - - - 15 *August* 1812 - - - - - - p. 47
- - - Ditto - - - - - - - - - *Evening* - - - - - - - p. 53
- - - Ditto - - *Monday Morning*, *August* 17, at 6 o'clock - - p. 58
- - - Ditto - - - - D° - - *Evening*, at ½ p. 7 - - - p. 67
- - - Ditto - - *Tuesday Morning*, 18 *August*, 7 o'clock - - p. 70

NAMES OF WITNESSES EXAMINED,

And References to their several Examinations.

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Mr. John Gardner, one of the coroners for the county of Lancaster - - - - - - -	41. 63
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Jacob Wilson Wardell, a prisoner for debt -	47. 66
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MINUTES OF EVIDENCE.

Wednesday, 12th August, 9 A. M. 1812.

At the COUNCIL ROOM in the Castle of Lancaster;

Present { Benjamin Hobhouse, Esquire, Thomas Macdonald, Esquire, William Roberts, Esquire, } Commissioners.

COMMISSION read.——*JOHN HIGGIN*, being called in, and duly sworn, the following questions are put to him:

Mr. John Higgin.

(Question:) ARE you the Gaoler of His Majesty's prison the Castle of Lancaster?—— (Answer:) I am.

How long have you held that appointment?——Since Christmas 1783.

Have you any copy of the Rules or Orders made for the regulation of the prison?—— I have a printed copy of the Rules and Orders, and deliver it in to the Court. These Rules and Orders are for the criminal side of the prison.

Are these Rules and Orders, or a copy of them, hung up in the prison?——They are.

In what part of the prison?——Where the criminals are confined in every ward on the Crown side of the prison, I believe.

Are there any rules or orders respecting other prisoners?——There are none; I have long endeavoured to obtain such rules for the better government of the debtors.

What endeavours have you employed?——More than once I have obtained the signatures of the Magistrates to rules of that description, but have not been able to get them confirmed by the Judges of Assize.

Can you produce those rules?——I can produce them. [Mr. Higgin delivers in a draft copy of Rules and Orders for the better government of His Majesty's gaol the Castle of Lancaster, and of the prisoners who are or shall be confined therein for debt, made and approved at the general quarter session of the peace, held at the said Castle in and for the county palatine of Lancaster the 2d day of October, in the 50th year of the reign of King George the Third, with the names,—John Bradshaw, esq. Revd James Stainbank, Revd Thomas Clarkson,—indorsed thereon, as the Magistrates signing the same. Mr. Higgin also delivers in some proposed Rules and Regulations for the better government of His Majesty's gaol the Castle of Lancaster, and of the prisoners who are or shall be confined therein for debt, made and approved at the general quarter session of the peace held at the said Castle in and for the county palatine of Lancaster, the 15th day of January in the 51st year of the reign of King George the Third, which last-mentioned proposed rules and regulations are signed,—Edmund Hornby chairman, Edward Buckley, Edmund Thornton, Thomas Clarkson;—and have some additions made in pencil by Sir Simon Le Blanc, as Mr. Bellamy, Mr. Baron Thompson's marshal, informed Mr. Higgin. Mr. Higgin also produced proposed Rules and Regulations, entitled as above, to the Magistrates at the quarter session held on the 14th day of July in the fifty-second year of the King, and signed,—Edmund Hornby chairman, Edward Buckley, Thomas Clarkson, William Wilson Carus Wilson, John Bradshaw, James Stainbank, Robert Housman;—which last-mentioned Rules and Regulations are the same as the preceding, the addition made in pencil in the former being introduced in ink.]

Do the Rules and Regulations for the criminal side apply to all descriptions of persons under confinement there?—— They do.

You have laid before us a draft copy of proposed Rules and Regulations for the better government of the debtors in Lancaster Castle, dated October the 2d 1810, which appear to have been signed by the Magistrates, whose names are indorsed thereon; have you submitted those Rules to the consideration of any Judge or Judges of Assize?—— I believe they were delivered by Mr. Gorst, the clerk of the peace, to Mr. Justice Chambre, for his approbation.

State what opinion Mr. Justice Chambre expressed thereon?——I cannot charge my memory with what Mr. Justice Chambre said on that occasion; but I understood there was something in the Rules which he did not approve of.

Then we are to understand that they were not adopted or acted upon?——No they were not.

You have also laid before us the original proposed Rules for the regulation of the debtor prisoners in Lancaster Castle, signed by the Magistrates at the January Session 1811; have

Mr. John Higgin.

they been submitted to the consideration of any Judge of Assize?——I believe they were laid before Mr. Baron Thompson and Mr. Justice Le Blanc.

Did those judges or either of them express any opinion as to the propriety of those Rules? ——Mr. Bellamy, Mr. Baron Thompson's marshal, informed me, that Sir Simon Le Blanc had made some additions with pencil, and that if I got them resigned by the Magistrates, any of the Judges on the northern circuit, at some future assizes would sign them, on the circumstance being mentioned of their being corrected by Sir Simon Le Blanc.

In consequence of that communication with Mr. Bellamy, did you take any steps, and what?——I presented a correct copy of such amended Rules to the Magistrates at their Session in July last.

Did that correct copy obtain the signature of any and whom of the Magistrates?——It did; of Edmund Hornby, esquire, the chairman, Edward Buckley, esquire, the Rev[d] Thomas Clarkson, William Wilson, Carus Wilson, esquire, John Bradshaw, esquire, the Rev[d] James Stainbank, and the Rev[d] Robert Housman; and I intend to submit them to the approbation of the Judges at the next Assizes.

If there be no Rules or Orders for your direction respecting any other class of prisoners than criminals, do you govern your conduct towards the other prisoners by any fixed system? ——With respect to the debtors, in the summer months, the prison is unlocked at six o'clock in the morning, and shut at nine in the evening, and sometimes a little later. In winter, we unlock as soon as it is light in the morning, and shut at nine in the evening, but persons are not admitted to the debtors after dark. The wives and children of debtors retire at nine o'clock from the prison. For the general security of the debtors, I observe this rule in the distribution of the prisoners; those who are in for the largest sums, and where there is the greatest hazard, I generally send to what is called the New Buildings; those from the Court of Requests at Manchester, I send into the Constable Room, unless they can afford to procure better accommodation; those for smaller debts, are generally in the Gateway tower and the Well tower; the number sent into each room, generally depends on the size and ventilation of the rooms; the poorest class are accommodated with cots in three of those rooms, when they cannot afford to pay for a bed; which cots are given by Mr. Neild the treasurer of the Society for the relief of debtors. I do not, nor do my servants furnish any beds for the debtors, the debtors hire them of persons in the town. Some years ago, soon after the Act of Parliament passed for abolishing taps in gaols, I applied to the Magistrates, by consent of the then Sheriff, to abolish all fees and chamber rents, and to allow me a salary in lieu thereof, which they did accordingly; and I receive no emolument whatever, either directly or indirectly from the debtors. In cases of disputes or quarrels amongst the debtors, I generally send for both parties to the office, and examine into their complaints, and if I cannot settle the matters in dispute between them, I send and request a Magistrate to come up to the prison, if the matter is of a serious nature, or the parties wish a Magistrate to decide between them. And I have always attended to every complaint made by the debtors as to grievances in their rooms or nuisances, and endeavoured to correct them; except on or about the middle of May last, when some of the debtors made many frivolous complaints as to quarrels which had taken place amongst them, and I then told them that I could not attend to idle and frivolous complaints and bickerings amongst themselves, as it took up too much of my time, and prevented me from attending to more important duties.

Are we to understand that from that time you determined against hearing any complaints whatsoever?——By no means; I have been attending to a complaint of the debtors last night and this morning.

State in what manner you distinguish between complaints that are frivolous and those which deserve attention?——I found many complaints made where I had no authority to correct them.

That does not appear to be a direct answer to the question.——I found that some complaints were for idle words and threats; others I found more serious, and requested the attendance of a magistrate, conceiving that I had no authority to restrain refractory debtors.

What do you consider to be serious complaints?——When any debtor assaults another, or commits a breach of the peace, or when they complain of any nuisance in their rooms.

When those complaints have been made, have you attended to them?——I have.

In the case of assaults, what measures have you taken?——I have recommended to the aggrieved debtor to send for a magistrate.

Has that recommendation been attended to?——It has; Colonel Bradshaw and other magistrates have frequently attended.

Explain the nature of the nuisances to which you allude?——For instance, where debtors wives and children are complained of by other debtors for filthy practices in the rooms; and where smoaky chimnies have been complained of; at present I cannot recollect any other nuisance; I do all I can to prevent nuisances, and when I find they do exist, I endeavour to remove them.

Do you keep a journal of the events of the prison?——In answer to that, whenever a prisoner is punished, I make a memorandum in a book kept for that purpose, but not of any thing else but punishments in that particular book.

From what period has this been your practice?——For several years; I do not recollect the exact period, but I can produce the book. [Mr. Higgin delivered in the book.]

What are the general modes of punishment adopted in the gaol with regard to the debtors? ——Where debtors are refractory and refuse to be locked up in their rooms, I have occasionally put them into the debtors cells all night, or into the strong room in the gateway called the Lock-up.

Are

Mr. John Higgin.

Are those cells appropriated to the punishment of debtors?——They are occasionally; they were originally appropriated for Crown prisoners, but for about twenty years they have been used for the punishment of refractory debtors exclusively.

Describe where those cells are.——The cells are under the new buildings in the debtors yard, and the strong room is adjoining the gateway leading into the debtors yard.

Is there any other mode of punishing refractory debtors?——No; except when the magistrate is called in, and the debtor is deprived of the county allowance.

What is the longest period you have kept a debtor confined in the cells or strong rooms?——At furthest not more than two or three days in the strong room, and in the cells not more than one night; but I recollect an instance about ten or twelve years ago, of a debtor who escaped and was retaken at Liverpool, being confined about six weeks.

Describe the particulars of the county allowance before alluded to.——It was formerly one shilling a week, paid by the county treasurer, but some years ago altered to one shilling's worth of bread weekly; in addition to which, the prisoners have been allowed ten pounds of potatoes weekly, since the time when a scarcity of corn prevailed; the allowance is made by order of two justices until further order to the contrary.

By what authority is a refractory debtor deprived of the county allowance?——By any two or more justices on my representation, or for causes falling within their own observation; I recollect about the year 1807, on an investigation before the magistrates, the allowance was withdrawn from several debtors at once, for improper conduct equally affecting them all, and falling within the observation of the magistrates themselves; and a similar event took place on the 10th of June last. In one instance I recollect I complained to the magistrates of two debtors, of the names of Unthank and Spencer, who had fought in the prison, and frequently conducted themselves in a refractory manner, and the magistrates ordered their allowance to be withdrawn.

Have the magistrates, on application of the debtors, restored to them the county allowance?——In many instances they have.

What is the longest period during which the county allowance has been withheld?——In the instance of Unthank, it has been withheld many months, and I do not know that he has made any application to have it restored; in general it has not been withheld more than a month or two months; it entirely depends upon the conduct of the debtors; and in some instances it has been restored in a fortnight.

Have you ever withheld the county allowance from debtors on your own authority?——Never, in any one instance.

Did you never put a debtor in irons by way of punishment?——Never, except in the case of the man who escaped and was taken at Liverpool; I put him in irons.

Have each of those cells, which are exclusively appropriated to the punishment of debtors, a bed?——No, they have no beds; they have wooden bedsteads; and, when a debtor is taken there, he has always had, to the best of my recollection, a bed, blankets and coverlet, or straw, with blankets and coverlet: I use the straw when a debtor is particularly refractory: I have known many debtors so violent, as to make it almost dangerous to go into the cell to them.

Is your practice the same when you confine a debtor in the strong room?——If a debtor is confined in the strong room, he is there allowed a bed stuffed with straw, with three blankets and coverlet.

During the time that debtors are confined in the cells and strong room, is any person allowed to have access to them?——The turnkeys and officers of the prison go into them; their friends, and other persons, are not permitted to go in; they can speak to them through a hole in the door, when in the strong room; and when in the cells, they can speak to them through the grating adjoining the arcade.

What are the dimensions of those cells which are employed for the punishment of refractory debtors?——Ten feet long, six feet seven inches wide, and eight feet nine inches high; they are all of the same dimensions.

Have those cells windows?——They have apertures over the doors.

About what size?——The apertures are two feet four inches high, and one foot eight inches wide.

Are there any fire-places?——Not in any of the cells.

Is there any mode of preventing damps, by flues, or otherwise?——Not in the debtors cells.

Are they subject to damps?——Not the cells where the debtors have been confined; but there are two cells adjoining which are rather damp, and are made use of for keeping lumber, straw or potatoes in.

How do they happen to be damp?——In consequence of the water carried from the roof of the adjoining building into the tank or reservoir in the debtors yard.

Of what materials are the floors of the cells made?——All the cells in which the debtors are confined are boarded.

Are those floors on a level with the ground, or elevated above the ground?——They are elevated above the ground two or three steps; and the ground behind the cells is lower than the floor of the cells several feet.

Do you recollect any instances of colds being contracted in consequence of confinement in those cells?——None, to my knowledge.

Is the strong room boarded?——No, it is flagged; and the flags are laid hollow.

Is there any fire-place?——There is.

If

Mr. John Higgin.

If a debtor happens to be confined in the strong room in the winter, has he the benefit of a fire?——He has.

How does the strong room receive air and light?——By three windows which look into the town; there are small openings in each window, which may be opened at the will of the persons confined.

Do you send the refractory debtors into the cells and strong room indifferently, or do you make any distinction between them?——I make no distinction of persons; but send them to one place or the other, according to their behaviour and offences; but, if confined more than one night, they are put into the strong room.

At 2 o'clock P.M. the Commissioners proceeded to the inspection of the Prison, which was finished at 7 o'clock.—Adjourned to the next morning at 9 o'clock.

Thursday, 13th *August*, 9 *A.M.* 1812.

At the COUNCIL CHAMBER, Castle of Lancaster.

All the COMMISSIONERS present.

Mr. Higgin called in; and, after being duly sworn, his Examination is resumed.

BESIDES the county allowance, have the debtors any other means of support?——Only by what they procure for themselves; there are some charitable donations, a list of which may be found in Mr. Howard's book upon the state of prisons; and, when a debtor is poor, and applies to me, or the turnkeys, for relief, I am in the habit of giving them bread, milk, herrings, potatoes, coals and clothing, and sometimes money out of the charity fund; and sometimes at my own expense.

Is the distribution of the charity fund placed under your direction?——It is.

Are the Debtors furnished with the means of cooking their victuals?——They are; they have a fire-place in every room.

In what manner are they supplied with coals?——They purchase them themselves, or I supply them from the charity fund, or from the Society for the relief of poor debtors.

Are they allowed to purchase coals in any quantities they please, or is there any restriction in that respect?——They are allowed to purchase any quantity of coals, small or great; but there is a restriction as to the mode of bringing them into the prison.

State what that restriction is.——Some time ago, when there were few debtors, they were in the habit of sending for small quantities of coals, about three hundred weight at a time, in carts, which were admitted into the prison; but in consequence of the great increase of debtors, and the great risk of opening the gates, particularly in windy weather, when it requires two persons to open them, I directed the turnkeys to be more careful in attending to the ancient rule, and not to admit a less quantity in carts, than eight or ten hundred weight, as I considered no injury to be done to the debtors thereby, as they might divide a cart load amongst several of them; and the ancient rule was, not to open the gates for less than a cart load at a time: I never refused the admission of coals in small quantities, nor have I given my turnkeys any directions to prohibit the admission of smaller quantities when brought to the prison in sacks or baskets: the wicket gate is open from 6 o'clock in the morning until dusk in the evening, for the admission of coals, and any other necessaries the debtors may want. The debtors have an understanding amongst themselves, that every new member shall furnish a load of coals, about ten hundred weight, for the use of the room into which he is sent or resides, and pay a small sum, about 2 *s.* for pots and pans.

As there is a common fire to each ward, is the stock of coals common to all the persons occupying that ward?——Certainly.

How do you understand the money to be raised for the purchase of that common stock?——The quantity provided by every new member upon his entrance into the ward, helped out by occasional subscriptions amongst themselves, is generally found sufficient for that purpose; sometimes when the debtor coming in is poor and cannot pay for a load of coals, I have ordered a load for the room into which the debtor has been sent, and paid for them from the charity fund; the Society for the relief of poor debtors, have annually furnished, for the last four or five years, five pounds for coals.

Does the mode of cooking their victuals in their own apartments, prevail in the summer as well as the winter?——Yes.

Is there any public kitchen for the debtors?——None; only for the criminals.

What provision is made for cooking the victuals of the debtors?——In many of the rooms the debtors employ a poor man, who they call a *Betty*, whose business is to clean the room, make the beds, and cook the victuals.

In what manner are they provided with kitchen utensils?——At their own expense; except that I have sometimes supplied them when I have known they were poor and in want; and large tubs and mops and brooms are provided at the expense of the county; the tubs are for bringing down the slops.

What opportunities are given to the debtors of purchasing the food they may want?——A shop is kept by a debtor in the prison, and persons are permitted to come into the debtors wards at all times in the daytime, with food of any description, and the debtors wives and children frequently go into the town to purchase articles.

Is any care taken, and what, to see that they have their full weight and measure?——There

are

Mr. John Higgin.

are scales and weights kept at the gates for the general use of the prison, to which the debtors have access by asking the turnkey.

Is a poor debtor when confined on account of bad conduct, ever at the same time deprived of his county allowance?——Never.

Is the gaol at this period, particularly crowded?——It is; owing as I believe, to the present Insolvent Act.

State the number of prisoners in actual confinement, distinguishing the debtors from prisoners of every other description?——The total number is 340; of whom 166 are debtors, and 174 crown prisoners.

What has been the average number of prisoners since January last?——291.

What has been the average number of debtors from the like period down to the present time?——152.

What has been the average number of all other prisoners during the like period?——139.

Can you produce annual accounts for five years last past, distinguishing the description of prisoners in the same way?——I can. [Mr. Higgin delivers in such Accounts.]

Can you produce a similar Account of the prisoners confined in the castle of Lancaster on the 12th day of August instant?——I can. [Mr. Higgin delivers in such Account.]

What is the number of wards appropriated for the debtors?——Nineteen.

Are those wards distinguished into day rooms and sleeping rooms?——They are all day rooms and sleeping rooms.

Do these wards agree or vary in their dimensions?——They vary considerably.

What is the size of the largest of these rooms?——28 feet 11 inches by 21 feet 10 inches.

What is the size of the smallest?——14 feet 9 inches by 12 feet 3 inches.

What is the number of persons at present occupying the largest?——Sixteen.

What is the number in the smallest?——There are only three in number 6.

Have you any rule by which you guide yourself in the appropriation of those apartments?——We generally class the debtor prisoners with a regard to their rank and ability, but they very often class themselves according to their own preferences. I generally send persons from the Court of Requests at Manchester to the constable room, being persons coming for small debts, and consequently of the poorest description; the debtors are sometimes permitted, and do choose their own associates, and thereby crowd one room more than necessary, or in proportion to the numbers contained in the others.

Are any women permitted to pass the night in the male debtors wards?——When the prison is not crowded, the debtors wives have been permitted to sleep with their husbands, there being sometimes other male debtors in the same room; but when in a crowded state, as at present, I do not allow it, but cause a notice to be put up in the office window, that debtors wives and children may take lodgings in the town during the crowded state of the prison.

Have the male debtors separate beds?——In some instances they have, but generally sleep two in a bed; and on particular occasions when very much crowded, we have been obliged to put three in a bed; it eases the expense to themselves, and they therefore sometimes prefer it. I have no power to make regulations respecting their beds.

Is the bedding supplied at the expense of the debtors, or how otherwise?——The debtors furnish their own beds, except 41 cots and four iron bedsteads provided by Mr. Neild; whether at his own expense or at the expense of the Society for the relief of debtors, I cannot say. There are also blankets and coverlets for the cots, but not for the iron bedsteads; these cots and bedsteads are appropriated to the poorest debtors, and in some instances, I have found it necessary to lend a bedstead from the crown side of the prison. Owing to the debtors having used the beds they have hired ill, the townspeople have often been unwilling to let them beds.

Have you any means of securing to the persons letting those beds the amount of their hire?——None, whatever.

What provision is made for keeping the bedding properly clean, and that no uncleanly bedding is introduced into the prison?——I have no authority to prevent this inconvenience. [The Witness refers to the 32d Geo. II. c. 28. s. 4.]

Do they in point of fact, ever bring into the prison such bedding as you would object to, if you had the power?——They frequently do.

State the reason of your objection?——Bedding in an infected state may be brought up from the town, and disease communicated thereby; the bedding so brought in, being also frequently in a very dirty state.

Is the washing of the bed clothes at the expense of the debtors?——Yes, it is; and I cannot give any orders to have them washed; consequently they are often long in a very dirty state. The blankets and coverlets provided by the charity to which I have alluded, are wearing out, and have become dirty, and there is no provision for washing or renewing the same. After the last Insolvent Act, I caused most of the blankets to be washed at the expense of the county, but without any order for that purpose.

Have you any means of enforcing cleanliness generally in the debtors wards, and what is your practice in that respect?——I have none respecting debtors; I employ a poor debtor, at the expense of the Charity Fund arising from casual donations, to sweep the staircases and clean the necessaries, and to remove the filth from about the pumps in the yard, and to keep the yard and staircases clean, by which means I am enabled to keep the yard and lobbies and staircases clean; and with respect to the wards or rooms, when I see them, or hear of their being in a neglected state, I send for the oldest member of the room, and remonstrate with him on the danger and impropriety of the want of cleanliness.

Mr. John Higgin.

How often do you visit the debtors wards?——I only visit the debtors wards when there is occasion for my interference. My servants visit them twice a day, reporting to me regularly, when they observe any thing improper. My avocations are such, that I cannot daily visit the debtors rooms, as I have to attend the Courts of Quarter Sessions and Assizes, and Commissioners of Bankrupts, and remove debtors by writs of habeas corpus, and also other duties incidental to my office; but either myself or my son (who is my assistant) generally are upon the premises, and to the best of my recollection, we have not been both absent more than a day at a time for many years; and inspection of all the debtors apartments would certainly occupy several hours, as you know, gentlemen, by the length of time you were in going over the prison. The necessary writing in my office, takes up one person from eight to ten hours a day. The Sheriff's office is at Preston, 22 miles distant, which casts upon me additional responsibility and labour, as it falls upon me to receive authorities for the discharge of prisoners, and to determine upon their authenticity.

Are there any visiting magistrates for this prison?——I believe all the magistrates in the hundred of Lonsdale, consisting, as I believe, of about twelve or thirteen, are appointed visiting magistrates at the quarter or annual session.

How often do these magistrates visit the prison, and which of them principally?——They appear to have no stated times of visiting; Colonel Bradshaw, the Rev[d] James Stainbank, Edmund Rigby, Thomas Bateman, esquires, the Rev[d] Thomas Clarkson, the Rev[d] Robert Housman, and Mr. Carus Wilson, sometimes come; of late, the magistrates have been frequent in their visits, in consequence of disputes and discontents among the debtors; but in times of greater tranquillity, the magistrates visit about once in three months.

Do the magistrates ever refuse to visit the Castle when their attendance is applied for?——Never, to my knowledge.

Do the visiting magistrates inspect the weights and measures?——I do not know.

When the magistrates visit the prison, how far do they usually carry their inspection and examination?——I believe they visit those parts of the prison where their inspection and examination is principally called for; but I am not always required to accompany them, nor do I necessarily know to what extent they may carry their visits, as the prison is open to them at all times.

Is there any journal of the proceedings of the justices visiting the prison?——None, to my knowledge.

Do any of the prisoners, in point of fact, obtain spirituous liquors?——Not under my direction or permission, but they do by order of a surgeon; and a debtor may employ any physician or surgeon he pleases.

Are they supplied with small beer; and how?——A considerable quantity of spruce, treacle, and ginger beer is brewed by the debtors in the prison, which I do not prohibit or prevent; and I allow the debtors to purchase ale, beer, porter and wine at their pleasure; and publicans from the town, attend for two hours in the day to supply them; that is, from twelve to one, and from six to seven in the evening, in summer; and in the winter, from twelve to one, and from three to four, or from four to five, or from five to six, according to the season.

Do you permit wine, beer, ale and porter, to be received without limitation?——Yes; because I have no power to prevent it, although I have made several attempts to do so, but without effect; which I reported to the magistrates.

Is there any tap in the prison?——None except private taps, which the debtors sometimes keep among themselves; in which case I complain to the magistrates, and they suspend the county allowance, until the person keeping the tap gives it up, and applies for a restoration of the allowance.

Have you, or any of your family, any interest whatever in the sale of liquors within the prison?——None to my knowledge, nor have any of my servants.

Have you any fees belonging to your office, as keeper of this prison?——I take no fees from any of the prisoners, either debtors, or on the crown side, except for the copy of a commitment and certificate, for which I charge one shilling by way of check, that I may not be called on unnecessarily for such copies and certificates.

Have you many applications for such copies?——Many.

In what manner is it made known to the prisoners, that they may be furnished with such copies, at such a rate?——The prisoners know it by one telling another; this is the only mode by which they can acquire the knowledge of it; and when I find a poor prisoner who cannot pay for the copy of his commitment, I let him have it gratis.

Have you any account of the annual amount which you thus receive?——I have not; I give it to my son Thomas, who is my assistant, as a perquisite.

Are there any perquisites attached to your office as keeper of this prison?——I have a shilling a mile for the conveyance of prisoners; when I remove a number together, it is a profitable concern; but when I remove a debtor by Habeas Corpus, or a single prisoner, it is generally a losing concern. These are the only perquisites I receive.

What is your annual salary?——£. 500. for myself, and £. 250. for turnkeys and assistants, free from every incumbrance, except the property tax.

Can you say what is the annual expense of your turnkeys and other assistants?——I cannot accurately ascertain; but I think about £. 340.

Can you say what is your annual net income belonging to you individually, as keeper of this prison?——I cannot exactly say the sum, but I think, including the sum I allow my son, and what he gets by the perquisites for copies, and also including the profit on the

conveyance

Mr. John Higgin.

conveyance of prisoners, about £.700. a year, for a few years last past, which I return to the Commissioners of the Income Tax, as my income as keeper of the prison.

Have you a house rent-free as keeper of this prison?——I have, adjoining and communicating with the turnkeys lodge.

Have you taken into consideration, when you state your income at £.700. per annum, the rent which this house may be worth?——I have not.

Did you furnish the house yourself?——I did. The house is part of the Castle, and belongs to the King, as Duke of Lancaster, and would be worth very little to any person not connected with the Castle; besides, I am subject to have the house occupied by meetings of Magistrates, and Commissioners of bankrupt, it being almost considered a house for public purposes.

Are there many apartments in this house?——There are two parlours, a small library, a kitchen, a brewhouse under the kitchen, and six bed rooms.

Is there any garden?——There is no garden, except a border or slip round the house, about seven feet wide, for the purpose of keeping the prisoners from the windows, and which is also an ornament to the debtors yard; and there is a small slip of garden ground adjoining the wall, which separates the felons wards from the debtors, and prevents communications between the debtors and the felons, which has sometimes taken place; and it is used as a passage leading from the turnkeys lodge to the new tower, where the lunatics are confined; it is also used for convalescent prisoners who have been in the hospital. It is in length sixty-five feet six inches, and in breadth nineteen feet nine inches; there is no other garden belonging to the gaol: I have rented a small garden of doctor Campbell, since the tenth of April last, within about one hundred yards of the Castle.

Have you any hothouse either in the garden which belongs to the gaol, or in that which you rent?——There is a small hothouse in the garden which I rent, and there is a small cucumber frame in the slip of garden ground adjoining the wall in the prison yard.

Do any of your family, or have any of your family at any time occupied any part of the Castle appropriated for the reception of prisoners?——No, at no time.

Do you allow the debtors to carry on any trades?——I do, such as are not attended with risk, by introducing improper implements into the prison.

Is that the only ground of distinction you make?——When a trade is complained of as being an annoyance to other prisoners, I prohibit it.

What then are the trades principally carried on by the debtors?——Tailors, shoemakers, watch-makers, skewer-makers; and in one instance, having particular confidence in the man, I have permitted him to work as a sculptor.

Have they separate rooms to carry on their trades in?——There are no rooms allotted for that purpose.

Are they allowed to dispose of their work for their own benefit exclusively?——They are.

Is the book now shewn to you, entitled "Nield's state of Prisons," published in the present year, wherein at page 323 he gives the arrangement and dimensions of the different apartments in the gaol, in those respects correct?——To the best of my knowledge [having read the passage] it is.

Is the list of charitable legacies to the debtors in this gaol, and to which you have already referred, as stated in that book at page 325 and 326, and now shewn to you, correct?——I believe it is: but I can produce a list of the charitable legacies, and the names of the debtors to whom Mrs. Rigby's legacy was paid on the 30th of May last.

Have any alterations been made in the Rules and Orders now shewn to you, and which you delivered in, regarding the government of the criminals?——There has: the sixth rule, respecting uniform for the felons, has never been put into execution, as the Magistrates did not seem inclined to be at so great an expense; and I had no special directions given to me on the subject. Rule 13th has been altered; the prisoners now receive one pound of bread per day, one pennyworth of butter daily, two pounds and a half of oatmeal weekly, and ten pounds weight of potatoes weekly; except for a few weeks when new potatoes first come in, they are allowed only six pounds per week. Rule 17th has been altered: instead of the prisoner being entitled to one-fourth part of his earnings on his discharge, he now is entitled to have one-third part of his earnings paid weekly; and the same proportion extends also to the prisoners in the Bridewell wards, to be paid also weekly, subject to the controul of the visiting Magistrates as originally provided. And by an order of session of the 26th of June in the 40th year of the King, it is directed that all persons committed for trial, or convicted of felony or misdemeanors, shall be set to work by the gaoler in such manner as he shall deem necessary and proper; and to be punished on refusing to work, or on doing their work in an improper manner, by solitary confinement, withdrawing their allowance of provisions, or by deducting a part of such prisoners earnings. [The Witness delivers in a copy of the original order of session of the 26th June 40th Geo. 3d.]

By what method have the alterations of these rules been made known to the prisoners?——The alterations have been written in the margin of the copies hung up in the different wards of the prison.

You say that the 6th Rule has never been carried into effect; have the other rules with the variations been carried into effect?——They have.

You are now particularly asked, whether you ever inflicted any of the punishments mentioned in these rules, for a longer time than seven days, without making a report of the prisoners conduct to one or more Justice or Justices of the peace for the county of Lancaster, and receiving their instructions thereon?——I never have, to the best of my recollection.

What

Mr. John Higgin.

What are your modes of punishing those who are refractory among the criminal prisoners?——My most usual methods are by taking away the Sunday's dinner, withdrawing a portion of their allowance, or by solitary confinement for a few days; if that has no effect, I have recourse to irons, and in some rare instances, corporal punishment, ordering the offender to receive a dozen lashes or so; but for thirty years I do not recollect more than two or three instances of resorting to corporal punishment, and whenever the punishment might be considered as severe, I have entered it in the book.

Have the male convicts and persons detained in custody for trial, an allowance of tea or coffee?——They have not; they are permitted to purchase those articles.

Is the case the same with respect to the females?——It is not: and my reason for it is this; Sometime ago I mentioned to the Magistrates, that the females were in the habit of selling their bread to a great extent, in order to purchase tea and coffee, and that they were thereby considerably reduced, and in a bad state of health; and I also mentioned it to Mr. Baxendale the surgeon, and he concurred with me in opinion; the females were therefore prohibited tea and coffee, and their health has been much improved since.

Do you guide your practice by the order of session of the 26th June, in the 40th year before-mentioned?——As far as lays in my power. Some of the prisoners are very obstinate, but I generally strive to make working a matter of favour, in other instances I carry the order into strict execution.

Do you make any distinction in this respect between persons only detained for trial and those under sentence?——I do not.

Do you observe any distinction in the moral behaviour of those who work and those who do not?——I think those who work are more orderly; the ill-disposed I put into separate workshops.

What plan do you follow with respect to the disposition of their earnings?——The money is given to them to employ as they please consistently with the rules of the prison, and they generally receive great benefit from it in the purchase of milk and other necessaries.

What proportion are they allowed for themselves out of their earnings?——One third which is ascertained by the Task-master, who keeps an account of the earnings, which he submits to my inspection, and I deliver it to the Magistrates at the annual session held in June, and I pay the balance to the county Treasurer.

In whose custody are those annual accounts?——Some I have, which I will produce; the others may be had from the Clerk of the Peace.

At 6 o'clock P. M. Adjourned to the next morning at 9 o'clock.

COUNCIL ROOM, Lancaster Castle.

Friday Morning, 14th August, 9 o'clock.

All the COMMISSIONERS present.

Mr. *Higgin* called in; and, being duly sworn, is further examined, as follows:

ARE there separate wards in the Castle of Lancaster, for the reception of female convicts?——No; only one ward.

Are the females who are sent here to take their trials on charges, and those who are convicted, kept separately, or together?——They are all kept together in one ward, consisting of different rooms opening one into the other.

You have said, that you do not allow them to purchase tea and coffee, because, when they have been permitted to do it, they have sold their bread for the purpose, and thereby injured their health; to whom have they sold their bread?——To the other prisoners.

To what prisoners?——To the debtor prisoners.

How have they been able to sell their bread to the debtor prisoners?——Through the medium of the turnkeys.

Do you consider this proper to be done through the agency of the turnkeys?——Sometime ago, I found the criminal prisoners were in the habit of selling the bread which they did not happen immediately to want, to persons who brought milk and other necessaries to the prison; sometimes by way of barter, and sometimes for money; and I found that some remarks had been made in Lancaster, that the prisoners in the Castle had more bread than they could eat; and in consequence thereof, I gave directions, that the bread which the criminal prisoners disposed of should be sold to the debtors only, in order that they might have the advantage arising from the sale.

Then might you not have prevented the inconvenience arising from the sale of bread to purchase tea and coffee, by prohibiting the sale of bread, instead of prohibiting the purchasing of tea and coffee?——The women are in the habit of making cakes with their oatmeal and potatoes, which they are very fond of; and therefore if I had prohibited the sale of wheaten bread, the women could not have purchased milk, vegetables, and other nutritive food, with their surplus bread; and I considered the cakes made of potatoes and oatmeal, as being as wholesome as bread, and therefore not improper to be substituted in the place of bread, if the women liked it better.

Is this the only county gaol for this county?——It is the only county gaol.

Is there also a county house of correction?——There is, at Preston, in this county.

Is this gaol used for any other public purpose than that of a county gaol?——There are six Hundreds in the county of Lancaster; the county house of correction used for all the hundreds, except the hundred of Salford, is at Preston; the town of Manchester is

in

Mr. John Higgin.

in the hundred of Salford, and the house of correction there, is the house of correction for that hundred; and persons convicted of offences committed in that hundred have been generally sent either to the house of correction at Manchester, or to the castle of Lancaster for punishment by hard labour, solitary confinement, and otherwise, and so far the castle of Lancaster has been used as a house of correction; but I believe they usually send the worst class of offenders to Lancaster castle, being considered as a greater punishment, on account of its being further from their homes.

In the arrangement of the prison, is there any regard paid to the different description of offenders?——There is a general and standing arrangement for that purpose, to which I adhere, when it is practicable, and that arrangement is as follows: I put prisoners for trial into the third ward, and when that is full, I then put them into the first ward; the second ward is for convicts under sentence of transportation, and in some instances when a man is committed for trial, who has been before convicted, or is of notorious bad character, I put him among the convicts at first. The fourth ward is generally used for the worst class of convicts sent from Salford Sessions for terms of imprisonment, and to hard labour. The large room in the great tower, which I call Hanway, is for a better and more orderly class of convicted prisoners, generally taken from the other wards in consequence of their good conduct. The other large room in the great tower over the chapel, is for prisoners convicted of misdemeanors.

Among the persons so convicted of misdemeanors, are you in the habit of putting persons sent here for trial?——Occasionally I do; for instance, when a carter of good character had occasioned the death of a child, by negligence in driving his cart, I placed him among this class of prisoners, being unwilling to put such a man among felon convicts; and, in the present crowded state of the gaol, I have been obliged to mix the prisoners more than I otherwise should have done. With respect to the female prisoners, I have before observed, that there is only one ward; and therefore the prison does not admit of classing the female prisoners, with reference to the nature of their offences, or the grounds of their commitments. There is also a ward which I have set apart for the confinement of lunatics.

[Here Mr. John Gardner, one of the coroners of the county of Lancaster, being in attendance from Preston, is called in; and delivers to the Commissioners an inquisition taken by him on view of the body of Thomas Rawlinson, on the seventh of May last, at the castle of Lancaster.]

Is there any case in which a lunatic is mixed with other prisoners?——There is; Richard Coleman, a lunatic, who has been here ten years or upwards, is in the fourth ward; I put him there four or five years ago, considering him to be in an inoffensive state; he was, at first, very sulky and furious; but has become perfectly manageable, under the direction of a turnkey of the name of Thomas Birch, who has a compleat authority over him: there is no other instance at present in which a lunatic is placed with other prisoners; the other lunatics, to the number of four, are kept together. It occurs to me, that in the criminal female ward, there is an old woman of the name of Martha Wheawell, who is a lunatic, and occasionally violent; but, by being watched by one of the prisoners, in the same ward, she is kept in a manageable state: there is no separate accommodation for female lunatics.

Is the gaol ever treated as a receptacle for lunatics, merely on account of their being lunatics?——Lunatics are sent to the prison under the Vagrant Act, or under the Act for the custody of insane persons.

State the names of the four male lunatics in confinement in the lunatic ward?——James Mort, Henry Horner, James Long, and Patrick Davies. James Mort was remanded at the summer assizes 1804, having been found insane by the jury, on his trial for murder; Henry Horner was remanded at the August assizes 1805, being also found insane by the jury, on his trial for murder; James Long was remanded at the Lent assizes 1811, having been also found insane by the jury, on his trial for murder; Patrick Davies was remanded at the summer assizes 1811, having been found insane by a jury, on his arraignment for murder; and they were severally ordered to be kept in strict custody, until His Majesty's pleasure should be known.

To what degree of coercion, or restraint, are these men subjected?——To a degree of coercion, according to their state of mind. In the cases of Patrick Davies and Henry Horner, they are in handcuffs, and I have been obliged to chain them to their seats; and, in the night, to their beds; the other two are in a manageable state, and not under any particular coercion.

Have you taken any steps to inform yourself of the proper mode of treating lunatics?——I sent my son Thomas in July last to the lunatic asylums at Liverpool and Manchester, to enquire their mode of treating them: and my son visited the asylums at those places, and obtained the information wanted, upon which I endeavoured to adopt that mode of treatment which appeared to me most eligible.

To whose management principally are those lunatics committed?——Principally to Thomas Birch, one of the turnkeys; but in his absence any of the other turnkeys attend them.

What instructions do you give to the turnkeys on this head?——I have always told them to treat the lunatics with great humanity; and when beating was necessary, never to strike them but with the small end of a handwhip on the legs and thighs. I have found this punishment absolutely necessary to be used occasionally; I have frequently examined the

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lunatics with a view to see whether there was any marks of violence on them, and never found any on their persons.

Do you yourself occasionally visit the lunatic ward, and how often?——I do occasionally visit them to see their state of health; and Birch almost daily reports to me the state they appear to be in.

Have you reason to believe, that those who have the care of the lunatics treat them humanely, and without employing more severity than is absolutely necessary?——I am perfectly confident that they are treated with humanity, and receive no more coercion than is absolutely necessary.

Has there been a person in confinement in the lunatic ward, of the name of Thomas Rawlinson?——There has.

Is Thomas Rawlinson living or dead?——He is dead.

Did he die in a state of confinement under your care?——He did; he was found dead on the morning of the 6th day of May last.

After the death of Thomas Rawlinson, was the Coroner sent for, and how soon?——He was sent for on the same day that Rawlinson was found dead.

When was the Coroner's inquisition taken on the body?——On the next day, the 7th of May.

[It being announced to the Commissioners that Mr. Gorst, the clerk of the peace, is now in attendance; and it being considered that he has come from Preston, a distance of 22 miles, and having to return there this day; he is called in, and being duly sworn is examined as follows:]

EDWARD GORST, Esquire.

Edward Gorst, Esq.

ARE you Clerk of the Peace for this county?——I am deputy Clerk of the Peace.

Have you in your custody, as deputy clerk of the peace, the Records of any proceedings of the Magistrates of this county, or otherwise?——I have all the proceedings.

Do any of those proceedings relate to the state, conduct, and management of the gaol of the Castle of Lancaster, or the prisoners confined therein?——They do.

You will produce such proceedings as relate to the object of this inquiry, according to their dates.——I produce a book of the proceedings of a Committee of the Magistrates for prosecuting the improvement of Lancaster Castle, beginning at a session held the 29th April 1783, and ending with a meeting of a Committee held the 24th March 1812: Another book, which is the annual general session book, held pursuant to the statute 38th George 3d. c. 58. containing therein the opinion of the Magistrates at a special session of the Magistrates of the hundred of Lonsdale South of the Sands, held at the Castle of Lancaster on the 6th, and continued by adjournment to the 10th day of June last, for investigating charges preferred to the High Sheriff against Mr. Higgin; and also containing Resolutions of the Magistrates at the annual general session of the peace held the 25th of June last, respecting the conduct of Mr. Higgin as keeper of the said gaol; and also containing other Orders and Resolutions of the Magistrates, made at the several annual general sessions, respecting the said gaol.

Have you any copy of the evidence on which the Resolutions respecting the conduct of Mr. Higgin were founded?——I have not in my own custody; but I believe they are in the hands of the Magistrates clerk, Mr. Thompson, who lives in Lancaster.

Have you in your custody or possession any copy or records of other resolutions, adjudications or proceedings of the Magistrates of the county, respecting the state, conduct, and management of the gaol of the Castle of Lancaster or the prisoners confined therein?——Not to the best of my recollection. [Withdrew.

Mr. THOMAS THOMPSON called in; and being duly sworn is examined; as follows.

Mr. Thompson.

ARE you clerk to the Magistrates for this hundred?——I am partner to Mr. John Baldwin of Lancaster, who is clerk to some of the Magistrates acting for this hundred.

Did you attend for Mr. Baldwin at a special session of the Magistrates of the hundred of Lonsdale South of the Sands, held at this Castle on Saturday the 6th, and continued by adjournment until Wednesday the 10th day of June last?——I did attend, and act as clerk to the Magistrates.

Is it within your knowledge, that this session was held for any particular purpose, and what?——It was held for the purpose of investigating certain charges preferred to the High Sheriff of this county by Jacob Wilson Wardell, and others, against Mr. Higgin as keeper of this gaol.

Did you take any minutes of the evidence laid before the Magistrates on that occasion?——I did.

Are those the Minutes taken on that occasion? [Here two paper writings purporting to be Minutes of evidence taken before the Magistrates on the 6th and 10th days of June last, were put into the Witness's hands.]——They are the Minutes I took on that occasion.

Have you any journals or copies of journals, or other proceedings whatsoever before the Magistrates or any of them, relative to the state, conduct, or management of the prison of the Castle of Lancaster, or the prisoners confined therein?——Not to my knowledge.

[The same question was put to Mr. Baldwin the Mayor of Lancaster, mentioned above as the partner of Mr. Thompson, who answered in the same way.]

Are

Are these minutes, so taken by you, a correct statement of such evidence?——I believe they are. *Mr. Thompson.*

When these depositions were taken, were they read over in the presence of the witnesses?——Some of them were; and where I had any doubt as to their correctness, they were wholly read to the witness, and authenticated by his signature; and this was done in the presence of the Magistrates.

[Mr. Thompson also produced, upon oath, Resolutions of the Magistrates at the said session, with their several signatures, the hand-writing of which several signatures were proved by Mr. Thompson, who also delivered in a letter dated Lancaster Castle, Monday 8th June 1812, signed J. W. Wardell; which Mr. Thompson, on oath, said he believed to be Mr. Wardell's writing, having frequently seen him write. Mr. Thompson also produced a letter, dated Lancaster Castle, 10th June 1812, signed William Mallalieu, and addressed to Mr. Thomas Thompson: All which papers so delivered in were read.]—— [Withdrew.

SAMUEL SCUFFUM called in; and being duly sworn, is examined as follows.

IS your name Samuel Scuffum?——Yes.

When were you first confined in Lancaster Castle?——On the 17th of October 1811, I was confined as a prisoner for debt. *Samuel Scuffum.*

You are still a prisoner for debt in this Castle?——Yes.

Are you the same Samuel Scuffum who presented a petition to the House of Commons, complaining of the ill usage of the gaoler of this Castle?——I am.

State the ground of your complaint against the gaoler?——On Thursday the 24th of October last, I went down to the interior gate of the prison, and I shook the gate and called the turnkey John Clark, whom I saw sitting in the office, and I asked him, John Clark, "has there been a gentleman of the name of Stanton here to enquire for me?" he said, No, there has not, get you gone about your business, I'll report you to Mr. Higgin for coming down to that gate; I told him I was very sorry if I had transgressed the rules of the Castle; and I went to my own room. The next morning being Friday, about 9 o'clock Mr. Higgin sent for me to the office; I went, and Mr. Higgin and his son Thomas were in the office: Mr. Higgin said, You scoundrel, you meant to take me in for £. 148. 11*s*.; I then said, I beg your pardon, Mr. Higgin, I am very much surprised at your assertion. Mr. Higgin then said, that Clark had told him I intended to make my escape; I said, Clark had told him a very great falsity; Mr. Higgin said, he did not believe that Clark had; I told Mr. Higgin, that I was willing to take my bible oath that I had no such thought; Mr. Higgin said, You are not within an oath, your character is such; I then said, I don't know why you should make so familiar with my character; Mr. Higgin then said, You have been upon the stage, have you not? I told him, I had. Mr. Higgin then ordered the turnkey to bring the standard to take my height; the turnkey brought it; Mr. Thomas Higgin then ordered me to pull off my coat to look if there was any marks upon my body; I told him, I would not; I then held out my arm, and Mr. Thomas Higgin turned up my coat to look for a mole I have upon my arm; I told him, he might look at my arm, but I would not strip: he then took down my height, and the colour of my hair, and then I put on my hat and walked out of the office; and Mr. Higgin called, Come back, and I turned back just within the office; and being a little irritated I did not pull off my hat; he then said, Pull off your hat, Sir; I said, I am sorry for my neglect, and that I had been in the presence of men of superior rank to him, and had never been bid to do it in my life before, and I would not do it; he then turned to his son, and said it is adviseable to confine this Scuffum; I then told him he might go to his purpose, for that I was innocent of the charge which he accused me of: he then told me that he could iron me, and turn me into the debtors yard; he then called John Clark the turnkey, and ordered me to be put into the lock-up, which is also called the strong room. I said, as I went down with John Clark, how could you make such a false assertion to Mr. Higgin; he spoke, but I could not tell what he said, and he then gave me a push into the room, and locked the door; there was a fire in the room, when I went in, for airing the criminals blankets: and the same morning at 11 o'clock, I received a letter from Mr. Daniels, an attorney of Manchester; the letter was on particular business, and required an answer immediately: and I knocked at the door, and John Clark came, and I asked him to be so good as to get me pen, ink and paper, as I had received a letter which I must answer immediately; and he then said, they had other things to do than to bother and wait on me, and shut the pannel that opens in the door. I then remained until near 2 o'clock in the afternoon; I then knocked at the door again, and John Clark came, and I asked him whether I was not to go to my dinner, he said, no: I then told him, I hoped they would send me some; he said they should send none, but he supposed it would come from the room; he then shut the door and returned in a few minutes with my dinner, which was quite cold when he brought it to me. Mr. Unthank said, he would send me a pint of ale; John Clark said, they should not admit any ale to be brought to me, but that I might have a bottle of treacle beer, and it was brought; and between five and six my coffee came: and at nine, after the other debtors were locked up, John Clark, and John Cooper, another turnkey, came to me; Cooper was come from Manchester, and he brought me a letter, and he told me he was very sorry to see me there; and I told him I was put there very innocently: he said to that, he did not know any thing about it. I then asked him if I was to sleep there; he said, he believed so. Cooper then made my bed upon a wooden horse in the room where I was; he put on the blankets that were airing, and I told him he need not,

for

Samuel Scofsum.

for I would not sleep in them, as they were criminals blankets. He then very politely said, there was a pair of new blankets; and he brought them, and put them on the horse; he then went away, locking the door, and wishing me good night. On Saturday morning Cooper brought my breakfast; and about 11 o'clock, Birch, another turnkey, came into the room where I was, for some brooms to sweep the yard, and said to me, You rascal, if I had been at the gate, I would have broke your head with the keys; I told him he dared not, and I bid him begone, and give me none of his insolence; he said something to John Clark, I could not tell what it was, and shut the door. About one o'clock, they sent my dinner from the room; Thomas Bowker, a debtor, brought it, and he told John Clark to ask me, what Mrs. Wilcocks was to bring me from the market; I told John Clark to tell Thomas Bowker, that I wanted to see Mrs. Wilcocks, and she came to the door, and I asked John Clark to admit her; he said, he could not admit her into the room, but that she might speak to me through the door; and accordingly she came up to the door, and John Clark stood close by her; I told Clark to retire, I wanted to speak to Mrs. Wilcocks; Clark said he should not; I then told her it was not material what I had to say to her, as it was only a message into the town, and she might get me what she thought proper, and I gave her a one pound note, and she left me; and I then called after her through the window looking into the street, and told her the message I wished to send was, to tell Mr. Stanton I wished to see him this afternoon. Mr. Stanton came about 3 o'clock, and he went up into my room where I had been before I was put into the lock-up, and he told the members of the room that he was sorry I was in such a situation, and they told him that they believed it was all a misunderstanding of the turnkey's to Mr Higgin, that I was intending to make my escape. Mr. Stanton said he was very sorry to hear it, and as he was not particularly acquainted with me, he should decline calling on me; he said, that he had a present for me, and told Mr. Unthank and Mr. Sykes, that if I was guilty of such a thing, he thought I was not deserving of the present; they said, they thought I was not guilty of the charge, but I was a stranger to them all.

[The Witness was here desired to withdraw; and the Commissioners adjourned at 6 o'clock to half past 7 o'clock, P.M.]

AT half past 7 p. m. the Commissioners again met, and the Witness having been called in, the examination proceeded as follows.

Mrs. Clementson a laundress came to me about 5 o'clock, and brought my linen, and I desired her to get me pen, ink and paper, and she brought them; and on the Sunday morning I wrote to Mr. Higgin; I did not keep a copy of the letter, but I told him I was extremely sorry if I had transgressed the laws of the Castle, and I threatened to complain to the Mayor if I was not released. I remained without fire all Saturday, and until Sunday about 4 o'clock; on Saturday I asked John Clark for coals to make a fire; there was wood in the room, but they took that away; Clark told me if I was cold I might roll myself up in the blankets. On the Sunday Mr. Unthank and Mr. Hankin sent me a basket of coals and a great coat of Mr. Unthank's, who desired the turnkey to bring them in, otherwise he would write to the Mayor; John Clark brought them in, and the man who worked in the yard made my fire. About 7 o'clock Mr. Higgin and Mr. Thomas Higgin called, and Mr. Higgin told me he had received the note, and that he had nothing against me except that John Clark had told him that I intended to make my escape; I then told him if he wished to have a character of me from the Sheriff's officer who arrested me, I would certainly write to him for his satisfaction; I said I was under the first arrest; Mr. Higgin said he knew that; and I told him I came unattended the distance from Manchester to Lancaster; the Sheriff's officer's name is Mr. Singleton. Mr. Higgin then told me he would set me at liberty at 9 o'clock, if I would make a promise to him that I would come down to the gate at any time when the turnkey should call me; I told him that I would comply with any thing he thought proper for my liberty. He then told me it was all fabulous in my pretending to write to the mayor, as the mayor could be of no service to me; he then told me again that he had it in his power to iron me and turn me into the yard; I then told him that it would certainly be of great injury to my character; but he said as to that, that could be nothing at all. The last word that I said to him was, that I should seek for redress at another period; Mr. Higgin made no answer, and left me, and I went to my own room. At 9 o'clock on the Sunday evening the members in the room said they were glad to see me; Mr. Drummond one of the debtors in particular, shook me by the hand, and said he was very glad to see me, and advised me by all means to seek for redress against Mr. Higgin; I told him it was not in my power, as I had no money to bring it to a law-suit; and I remained very comfortable until the time that I petitioned Parliament; it then caused a great difference in the yard, and they told me in the room that if I would not give up walking with Mr. Wardell, or any other person they did not like, they would turn me out of the room; but if I did, and would shake hands with them all round, I might remain; I told them that I would not for if I did I should break my promise. Mr. Worthington and Mr. Drummond, members of the room, said this, and the same afternoon there was a caricature of Mr. Wardell, and several of the other persons who were witnesses on the charges Mr. Wardell had brought. Mr. Drummond, Mr. Worthington, Mr. Fell, Mr. Murrell and Mr. Hansworth, followed me as I was walking under the arcade, and called me, Petitioner, and Sir Francis Burdett. Mr. Higgin then came up, and asked me, if I had begun the noise and disturbance, I told him, that I had not, that I was only walking under the arcade; and at night they hooted me out of the room, and I went down to the gate, to ask Mr. Higgin where I was to go; I sent a not

Samuel Scuffum.

a note to Mr. Higgin, but received no answer until they locked up all the rooms. Mr. Higgin then came, and went up into my room and unlocked the door, but what occurred there I do not know; he then went up with me to a room in the hospital, him and Birch and Cooper he told me when I got there, Scuffum, how contemptible you make yourself look in the eyes of your brother debtors; I asked him for why; he said, for why? says he, they accuse you of theft in your room; I asked him who; he would not tell me; I told him, they were very base people, be they who they was in the room; he then told me, I was base enough to say any thing: I asked him for why; he said I had asserted things in my petition, which I could not prove; I told him I had not; he then said he pitied me, but I had been led by one of the greatest villains upon earth, and he left me. And I slept in the hospital eight nights, and had no place in the day time but the yard, and I applied to be taken into the constable room, but they could not take me in without Mr. Higgin's permission; and I sent a note down to Mr. Higgin at the gates, I asked him either to intercede to get me back into my own room, or into another room; he called me down to the gates, and he held the note in his hand, says he, Here is your note, you threaten to write to the sheriff if you don't get another room, you may walk the yard, it is warm enough; and the debtors were all down at the gates, some laughing and making fun; and I told him, that he might as well have called me into the office and spoke to me there; he bid me be gone about my business to my friend Wardell; and I went for two nights more to the hospital, and then Mr. Thomas Higgin told me to go to N° 4, but I could not pay the money required of me by the debtors, and then I requested to go to the constable room, where I have remained ever since. I attach no blame to Mr. Higgin, for being turned out of N° 4, that was owing to a dispute among the members.

[The Witness was asked whether he had any thing further to state; when he replied, that he had not;—and withdrew.]

WILLIAM GOULDEN called in; and being duly sworn, is examined; as follows.

William Goulden.

WHEN were you first confined in Lancaster Castle, as a debtor?——The third day of July last was a twelvemonth, and I still remain a prisoner there.

What grounds of complaint have you against the gaoler, or any of his servants, for ill usage?——It is twelve months since, the latter end of this month, when Cooper, one of the turnkeys, came up and threw me down stairs.

Did he give any reason for so treating you?——Only on account of my being noisy and in liquor.

In point of fact, were you in liquor?——Yes, I was, Sir.

Were you noisy?——Yes, I believe I was, Sir.

What time was this?——The latter end of August last year.

At what time of day was it?——At nine o'clock at night.

Did you refuse to be locked up?——No; they took me by the collar and dragged me to the cells.

Were you in a state to know what you said and did?——I was.

State what was done with you?——Mr. Cooper put me into one of the cells under the piazza, and I continued there until the next morning.

Was there a bed in the cell?——Yes, a bed of straw.

Was the floor of the cell wood or stone?——Wood; and I had some blankets and a coverlet to cover me, and was let out the next morning at eight o'clock by Cooper; who took me to Mr. Higgin, and he told me to go to my room, but to keep sober and not fall out with the room any more.

By falling out with the room, did he mean falling out with the debtors?——Yes.

Did the matter end there?——No; I went to my room, and the persons that I had been having words with, gave me my room money back, and turned me out of the room; I then went down to Mr. Higgin, and told him that they had turned me out of the room, and Mr. Higgin ordered me to get another room; I asked him to let me have one of the cots, for I was not qualified to pay a shilling for a bed every week.

Did Mr. Higgin give you a cot?——Not at that time.

Where did you sleep that night?——They put me in a cell for 13 nights together after that.

Were you confined in that cell in the day time?——No, only in the night, and I had liberty to walk in the yard during the day; at the end of the thirteen nights he gave me a cot, but I caught such a cold that I could hardly speak.

Did you get that cold by lying in the cot?——No; by lying in the cells.

Do you mean to complain that the cells are damp?——Yes, they are very damp.

Had you any other reason for thinking the cells damp than your having caught cold?——No.

Where was the cot?——In one of the debtors rooms called the pin box.

Have you remained there ever since?——Until the 14th of last month.

Do you make any objection to the room called the pin box?——No.

Since the 14th of last month, where have you slept?——In the cells.

What has occasioned you to sleep in the cells since the 14th of last month?——Getting a sup of drink, and the room and me fell out again amongst one another, I have remained there ever since; it is my only lodging at night, I have no where else to go day or night.

Do you mean to say that you are locked up in the cell in the day time?——No, I am free of the yard in the day time, but I have no where to get my meals.

William Goulden.

What sustenance do you live on?——Bread and cheese, and butter and bread.

How much of that each day?——I do not know; sometimes I get some cold potatoes, or whatever people will give me.

Who brings you butter and bread and cheese?——I buy it at a shop in the debtors yard.

Is there nothing allowed you from the house?——No, Sir, I have nothing allowed at all.

Have you heard of what is called the county allowance?——I have had none since the 6th of June.

Have you any other complaint against the gaoler?——No, Sir; my petition was not against the gaoler.

Have you then presented a petition to the House of Commons?——Yes.

Have you therein complained of any other ill treatment of the gaoler?——No, not as I know of.

By whom was that petition drawn up?——I do not know; but I heard it read.

Against whom did you petition?——Against the Magistrates.

Upon what ground did you petition against the Magistrates?——For taking the county allowance from me.

Then they took the county allowance from you for drinking?——No, Sir, not for drink; they sent for me into Mr. Higgin's office, and they swore me to tell the truth about petitioning to the Thatched House Society; and I told them, that sometime ago I petitioned, and they sent me five pounds down, as young Thomas Higgin told me, and he told me it was to get me out of the Castle, and if I had a mind he would write to my plaintiff to see if he would take it, and he wrote, and there came a letter back that the plaintiff would not take it; Mr. Higgin, the old man, read the letter to me, I can read but very little myself; and Mr. Higgin told me that I had better see the plaintiff at the Assizes, and I did see him, but he would not release me from the debt; and then I took a rule out of Court to lay my body under execution to force him to pay the groats; and he would not lay me under execution, and by that means I became supersedable the second of May, and I spoke to Mr. Higgin concerning superseding me out, and he told me his son was doing it for me and two more; and I told him I had heard so, but that his son would not do it on account of Mr. Parsons having taken a rule out of court, and he said to me, did Mr. Parsons take a rule out of court for you, and I told him yes; then said he, you may supersede yourself out; I asked him what I was to do for money, and he told me I must get it where I could; and the Magistrates took my county allowance from me from that; this was on the 6th of June, and I have had no county allowance since.

You say that Mr. Higgin the gaoler, was angry with you for employing Mr. Parsons to take the supersedeas out?——No, he was not angry, further than saying you may supersede yourself out.

Then was the conduct of Mr. Higgin about the supersedeas one of the reasons of your complaining either before the magistrates, or on your petition to the House of Commons?——No; the petition was for taking my county allowance from me; it was against the magistrates, not Mr. Higgin; I had no reason to complain of Mr. Higgin about that.

You say, that your petition to the House of Commons was drawn by somebody, but you don't know by whom?——I asked Mr. Wardell to do it.

Did Mr. Wardell prepare it for you?——Yes, Sir.

Did he make any observations to you at the time?——No.

Did he write it in your presence?——No; but he read it to me before I signed it.

Did you tell him what to write in the petition?——No further, but that the county allowance was taken from me, and I wished to have it back again, having nothing else to live on.

If the petition contained any thing but about the county allowance, was it with your knowledge?——No; I wished for nothing, but to have the county allowance restored to me.

Did you mean any thing to be said in that petition against Mr. Higgin?——No.

Then if Mr. Wardell put any thing else in, was it with your authority?——No.

Have you any other reason for believing that the magistrates took away your county allowance, on account of the evidence which you had given against Mr. Higgin, except that it was taken away at that time?——No; I never knew any other reason.

Who told you that was the reason?——Never any one told me so.

Then what made you think so?——Because it was pinned up from Mr. Higgin in writing in the yard; and after that it was printed, and sent to Manchester in print, and pinned up beside in the piazza here in print.

Do you mean to say, that in this writing from Mr. Higgin, and which was stuck up in the yard, and afterwards at Manchester, it was stated that your county allowance was taken from you, in consequence of the evidence you gave before the magistrates?——No; it stated that the county allowance was taken away; I cannot say justly how it was stated, not being a scholar.

Did you ever hear anybody say it was?——Many about the yard; but I cannot say any one in particular.

Was your county allowance taken away from the morning of the 6th of June, or after the 6th day of June?——It was stopped the next bread day, the 7th of June.

You had stated, that you were assaulted on the 3d of July 1811, by Cooper, one of the turnkeys, who threw you down stairs; why did you not, when you complained of bad treatment before the magistrates in June last, and in your petition to the House of Commons in July last, mention this amongst the grievances of which you complained?——The assault by Cooper was twelve months ago, and I should not have complained of him now, if they had let me out of the cells.

Half-past 10, P. M. Adjourned to the next morning at 9 o'clock.

Saturday Morning, 15th August, 9 o'clock.

All the COMMISSIONERS met.

Edward Gorst, Esq. the deputy clerk of the peace, was called in again, and sworn; and laid before the Commissioners the following Orders and Resolutions, to wit: An Order made at the annual general Session of the Peace held for the County of Lancaster on Thursday the 26th day of June, 40 Geo. III.—Another Order made at the Annual Session 27th June 1805:—Another Order made at the Annual Session 25th June 1807:—Another Order of the Annual Session 29th June 1809:—An Order and Resolution of a Committee for managing the affairs relating to the improvements of the Castle, 11th August 1807:—A Resolution of the Grand Jury, 12th August 1807.—A Resolution of the Magistrates of the County of Lancaster, 13th August 1807.—An Order of the Committee for managing the affairs relating to the improvements of the said Castle, 31st August 1808. *Edward Gorst, Esq.*

From what have you extracted these several Orders and Resolutions?——From the Annual Session Order Book of the proceedings of the Committee for the affairs of Lancaster Castle; the same which I produced here yesterday.

Have you carefully and attentively examined these several extracts with the book, and do they perfectly correspond?——I have examined them carefully, and seen that they are correct.

Do you find any other matters contained in those books, or have you any other documents to produce to the Commissioners, relating to the object of their enquiry?——I have looked through the books carefully, and at distant periods find some orders relating to the allowance of bread and potatoes to debtor prisoners, the dates of which I have extracted for your assistance in examining the books. [The different Sessions Order Books, were inspected by the Commissioners, and returned to Mr. Gorst.]

JACOB WILSON WARDELL called in; and being duly sworn, is examined as follows:

ARE you a debtor confined in this Castle?——I am. *Jacob W. Wardell.*

Were you so on the second of May last?——I was; and have been about thirteen months last past.

Were you in the debtors yard on the second day of May?——I was.

Was there any thing in the evening of that day, which excited your attention?——There was.

State what that was?——There is a round tower where the lunatics are kept; I saw a number of people gathered together; the rails separate the garden, where the debtors stood; I asked, what was the matter; they said, they were flogging a lunatic; I heard the blows resound, and I heard the man at various times calling out murder! murder! I counted a great number of blows, about 30; the man hallooed out very frequently, murder! murder! kill me! kill me! and after about twenty minutes, or half an hour, Cooper the turnkey came down stairs into the garden; he seemed very much exhausted, and quite in a perspiration; this happened at six or half-past six on Saturday evening, and about nine the same evening, when Cooper came up to my room, I said to him, Cooper, you must have killed that man; and he answered, No, damn him, I only knocked him down three times: I said, I understood that the man was not a lunatic; that Birch, the other turnkey, had told me, that he was more knave than fool; I said to Cooper on the Sunday morning, have you sent for a surgeon; that Rawlinson must be terribly mutilated; to which he said, no. I have nothing more to say on this charge.

Had you any communication that evening with Thomas Lee?——I believe there was something passed, but nothing of great consequence.

Did you see his arm?——I did; I observed that his arm was bandaged.

Were you in a situation to see any thing of what you have mentioned?——I was not; I only heard it.

Had you seen Lee on the morning of Saturday?——I had.

Was his arm then bandaged?——No, it was not.

[Mr. Wardell was then asked, whether he knew any persons who could give evidence as to the death of Thomas Rawlinson? when he named the following persons; Joseph Dickinson, Robert Mather, John Parker, Ormerod Deardin, James Wright, George Tengatt, George Collier, James Mallalieu, William Mallalieu, Thomas Lee, Richard Smith, Thomas Booker, James Rogers, and Thomas Griffiths; which names being read over to him, he was asked, Whether there was any other person, either in the prison or out, that he wished to be examined? and he said, No.]

THOMAS GRIFFITH called in; and being duly sworn, is examined as follows:

ARE you a prisoner on the crown side in this gaol?——I am. *Thomas Griffith.*

In which of the felon wards are you confined?——I am confined in a time-room; I received my sentence at the new bailey at Manchester, last May was twelve months, for two years imprisonment.

Do you know the place where the lunatics are confined in this gaol?——I do.

Qu

Thomas Griffith.

On the second day of May last, where were you confined?——When this happened, I was in the first yard.

How near is the first yard to the place where the lunatics are confined?——Their day-room is under the first yard day-room.

When you were confined in the first yard, could you hear what was going on in the lunatics day-room?——Sometimes one might hear them knock their tubs about, and sometimes hear their cries, but could not hear them talking. I know nothing of this fraction, but what Thomas Lee told me.

What fraction do you mean?——About Thomas Rawlinson.

Thomas Rawlinson was a lunatic?——Yes.

Did you ever see him?——I have seen him through our cell windows walking in the lunatic yard.

Did any thing, about May last, draw your attention to the lunatic yard?——One night we heard Thomas Rawlinson cry; he cried all night long, and we could not sleep for him.

How do you know those cries to have proceeded from Thomas Rawlinson?——By Thomas Lee telling me; I asked him who it was that made that noise, and he told me, Rawlinson.

Who is Thomas Lee?——He was a prisoner at that time in our yard.

What means had Thomas Lee of knowing that they were Thomas Rawlinson's cries?——Lee regularly took their meat.

Had he taken them their meat that evening?——Yes.

Then all you know about this matter, was told you by Thomas Lee?——Yes.

On the evening on which this affair happened, did you see Lee just before he carried the lunatics their victuals?——Yes, I did.

Did you see him again when he came into the yard after giving the lunatics their victuals?——I did.

Was there any thing about his person that you remarked, when you so saw him again?——Yes.

State what that was?——The back of his hand was terribly swelled, and tied up with a handkerchief.

How did you know that his hand was swelled?——He opened his hand and shewed me.

Did he then explain to you the cause of the swelling?——He did; he said that he was holding Rawlinson, while Cooper was licking him, and that he happened to receive one of the blows on his hand.

Did he then give you a full account of the whole transaction respecting Rawlinson?——Yes.

Did you see Lee after this?——Yes I did, frequently two or three times a day; but his time is up, and he is since gone out.

Has he given you any account of this transaction since?——He spoke of it several times before Rawlinson died, but not since.

Did he keep in the same story?——He did.

Do you know a debtor confined in this gaol, of the name of Wardell?——Yes, I have seen Mr. Wardell.

How soon after this event did you see Mr. Wardell?——Two days after; I saw him walking in the yard, but I never spoke to him, or received any letter or message from him.

Did you expect to be sent for to give evidence before us?——I did not.

Is there any debtor that you have had any conversation with, about this?——No; no debtor, we have talked of it in our ward.

[Here the Witness was desired to withdraw.

THOMAS LEE called in; and being duly sworn, is examined as follows:

Thomas Lee.

YOU have been in confinement on the criminal side of this prison?——Yes.

Were you a prisoner here on the second of May last?——I was; and for many months before.

When were you discharged?——On the 24th of last July.

On Saturday the second of May last, in what ward were you confined?——In the time room.

Is the time room the same as the first yard?——No, it is not the same.

Were you ever confined in the first yard?——I was, about six months.

Do you known Thomas Griffith?—— Yes.

Where was Thomas Griffith confined on the second of May last?——In the time room, with me.

How far is the time room from the first yard?——They are a good way apart.

Could the prisoners confined in the time room, communicate with those confined in the first yard?——No, only when they were put together to work.

On the second of May were Griffith and you put to work together?——No.

Had you any conversation with him?——Yes.

Is the time room near the lunatic ward?——No.

Could you in the time room, hear the cries of the lunatics?——No.

Have you occasionally assisted any of the turnkeys in taking care of the lunatics?——I have.

Did you, on the evening of the 2d of May, take any victuals to the lunatic ward?——Yes.

Did

Thomas Lee.

Did you carry any food to Rawlinson?——I did.

Who accompanied you into the lunatic ward?——Thomas Birch, one of the turnkeys.

When you carried him his victuals, what was the conduct of Rawlinson?——He had been very raging all day, and locked up in his cell; I opened the cell door, and I offered to give him his victuals; and he rushed out of his cell, and cried out loudly, kill me! kill me! he was very furious.

Was he so furious as to be dangerous?——He was very dangerous; I gave him good words, and asked him to go into the cell, and offered him his supper; and he took the platter with porridge, and threw it violently in my face; and then we took and put him into the cell; and then he began kicking a tub about, which was there for his necessary occasions; and making a great noise, and shouting very loudly; and then Thomas Birch told me to go and fetch Cooper, and I went and fetched him; and Cooper brought a small hand whip, such as a gentleman rides with, about the thickness of my finger; then Birch opened the cell, and asked, what was the matter, that he could not be quiet; and he rushed out again, calling murder! murder!

Did he make those cries before any body touched him?——He did; when he rushed out, he ran straight at Cooper, and Cooper fetched him a blow with the whip; and he then made at Birch.

Was Rawlinson a powerful man?——He was; then we got hold of him, and forced him down; and then he made a snatch to get hold of Birch by the testicles, and also snatched at mine; and then Cooper gave him nine or ten blows with the whip across the legs and thighs, while he was down.

Was the beating very violent?——No, Sir, not very violent; it was with the small end of the whip; and I got an accidental blow, across the back of my hand, with the small end of the whip.

Was the blow a severe one?——No, not very severe; it swelled a little, and I put a handkerchief over it.

What effect did this produce on Rawlinson?——He continued shouting in the same way; and we got a pair of handcuffs, and put them on, and put him into the cell, and left him till the next morning, which was Sunday morning.

Upon leaving him, where did you go?——I went directly to my ward.

When did you see him again?——I went on Sunday morning, with John Clark, John Dewsnip, and Thomas Birch, to the cell, and he was shouting then; we went up to the cell; Birch opened the door; Rawlinson was then in a great rage, and had torn the clothes nearly off his back; he had broken the handcuffs, as he had done many times before, and thrown them into the lobby; we begged of him to come out, and be quiet; but he was very furious, and we could not appease him; we brought him down into the yard, by main force; he was raging all the time, and we put him irons on upon each leg, with a chain of about eighteen inches long between them; handcuffed him, and put a single chain from one of his legs to his hands; he had pulled off his trowsers, which were thick double fustian; and I turned up his shirt, to see if Cooper had made any marks with the whip, but found none; we then put him into a cell in the yard below, and left him there; I saw him again the same Sunday evening; Birch went with me, and we found him still raging; we opened the cell door, and asked him to have something to eat; but he refused, and we left him for that night. On Monday morning, about half past seven, Birch and myself went to him again; we left the other lunatics up in their cells, as it was dangerous to mix them together, Rawlinson was so violent; we asked him, how he was, and he then appeared more reconciled, and we let him out into the yard, and I went and brought him his victuals; and we then left him alone in his irons; and about one o'clock, Birch and me went to him again, and took him his dinner; he was quiet then, and was seated; we left him; and in the evening, Birch and me went again; he was then pretty peaceable; we gave him his supper, and left him locked up in the cell. On Tuesday morning, about half past seven, Birch and me went to Rawlinson again, took him his breakfast, and found him wilder than he was the day before, but pretty well in health; after giving him his breakfast, we left him in the cell, to prevent him mixing with the other lunatics, who were brought down into the yard; Birch and me went again at twelve, and gave him his dinner, and left him locked up in his cell; we asked, how he was; and he said, he did not know; in the evening, about seven, Thomas Wright and me went to Rawlinson, to give him his supper; we found him in his irons, and asked him, how he was; and he said, can't you see; I gave him his porridge; and he said, who is that with you; I said, Tommy Wright; and Rawlinson said, Tommy Wright, give me my loaf out of the day-room.

Who is Thomas Wright?——He is the grandson of Thomas Birch the turnkey; Wright brought Rawlinson his loaf; and he said, somebody had been at it; then we left him locked up in his cell for the night. The next morning, Thomas Birch and me went again about eight o'clock; Thomas Birch unlocked the cell, and I went in, and saw Rawlinson lying on his back, on the bed; I said, he is dead; Birch said, he never is, surely; I said, he has hung himself.

Describe exactly the state in which you found him.——We found him bent a little forward, and saw something tied about his neck; which, upon looking at, I found to be part of his stockings twisted together; both his stockings were off his legs.

The night before, you had left him in his irons?——I had.

In what state did you find the irons?——In the same state in which we had left them.

In what state did you find the handcuffs?——In the same state; he had not broken either. We locked Robinson up in the cell, leaving the body exactly in the same state.

How soon did Mr. Higgin come?——Exactly at nine o'clock.

Thomas Lee.

Did you and Birch attend Mr. Higgin to the cell?——Yes, and Mr. Drummond.

Now state what was done?——We all went together; Mr. Higgin went into the cell first; we all followed him.

What was then done?——Mr. Higgin felt what was tied about Rawlinson's neck, and found it very tight, he could hardly get his finger between; he then asked me to loose it off, and I hardly could for a long time, and when I did, I found it tied in knots and twisted, and it was about two yards and a half long.

Was any thing else done to the body?——Not then; we went away and left him locked up in the cell.

Do you know any more of this?——In the afternoon I went again with Thomas Birch, Richard Smith, and James Finch, between two and three in the afternoon; we brought him out of the cell into the yard, and took his irons off, and carried him up into a big room in the tower.

When you got him there, what did you do?——We took all his clothes off, except his shirt, laid him out, and left him covered with a sheet.

Did you see any thing more of him?——Not until the Coroner came.

Did you attend as a witness on the Coroner's inquisition?——I did.

When the Coroner's inquisition was taken, did you see the state of the body?——Yes.

Was the body naked or covered?——It was covered with a sheet, but the sheet was turned down, and the laps of the shirt were turned up, and some of the Jury went and looked at the body.

When any of the Jury wanted to see the body, was it uncovered?——Thomas Birch stood by the body, and uncovered it for any one who wished to look at it.

Did you examine the body?——I did; the body appeared in a very good state, except being black about the neck, and one eye appeared red.

Had you seen that the same eye was discoloured before his death?——Yes, I had.

Can you give any account how he got it?——Rawlinson told me, that Patrick Davies, another lunatic, had done it.

Do you recollect on any occasion, striking the lunatic a blow?——I do not; I never did strike any of them.

Was the evidence which you gave before the Coroner, the same that you have laid before us?——It was the same.

Did you know the persons who were on that Jury?——There was some stone masons that work about the Castle, and some debtors.

Was John Parker and Joseph Dickinson on the Jury?——Yes; I am not sure of any other names; I helped to put Rawlinson into the coffin.

Was the cord made of the stockings shewn to the Coroner?——Yes, it was.

Is this cord still in existence?——No; it laid for several weeks in the big room in the tower, and was then swept out with the dirt and ashes, and carried away and thrown down the necessary with the other rubbish.

Have you always given the same account of this transaction?——As near as I can think, I have always given the same account.

Since the body has been buried, have you had any communication with Mr. Higgin or his son Thomas on the subject?——No further, than the Magistrate taking down the same that I have been telling you.

What Magistrate did you go before?——Mr. Bradshaw.

When did you attend him?——It was before I left the Castle; I think it was about six or seven weeks ago.

Did you give to him the same evidence you have given to us?——Yes.

Where do you live?——At Warrington.

Were you informed that you should be examined here, and if informed, by whom?——Mr. Higgin sent a man for me.

Did he send a letter by the man?——He did, which I tore to pieces yesterday.

State the contents of the letter to the best of your recollection?——I am no scholar; I got a man to read it to me; it was, that I should come by the bearer; and I did.

Are you sure, that in this letter, there was no promise of remuneration to you if you came to give evidence?——I was very loath to come at first, because I had but just gone into my place as servant at the George Inn at Warrington, and then the man said "Don't be afraid of coming, Mr. Higgin will bear your expenses backwards and forwards."

Are you sure that he did not promise you any thing more?——I am sure that he said nothing more, but that my expenses should be paid backwards and forwards.

Have you since your arrival here had any communication with Mr. Higgin or his son?——I have with Mr. Higgin, but no farther than that I told him I was afraid of losing my place by staying so long; and he said he was very sorry for it, and that he would get me examined as soon as ever he could.

Since your arrival here have you had any promise of reward made to you by Mr. Higgin or any other person, for the evidence you might give before us?——I have not received any thing, nor has any promise been made me.

You have said that when you went to see Rawlinson on the Sunday morning after the evening on which the beating had been given him, you lifted up his shirt to see whether any marks had been made upon the thighs by the whipping; what particularly induced you to do this?——I don't know; nothing but mere curiosity.

You have said that his irons and handcuffs were on and unbroken, the night before the morning on which he was found strangled; how do you suppose he could have strangled himself

himself while so ironed and handcuffed?——By stooping a little, it was very possible for him to do it; he had broken his former handcuffs, and had others put on, which suffered his hands to be further apart. *Thomas Lee.*

[Here the Witness was desired to withdraw; and the Commissioners directed the irons and handcuffs to be produced, in order to satisfy themselves of the practicability of the lunatic strangling himself in the manner stated.]

Thomas Griffith called in again; and is further examined as follows:

DID Lee ever tell you any thing respecting Rawlinson having been beat or ill treated? ——He did; in the evening when it happened, Lee had taken the lunatics their suppers, and he came into the ward with his hand tied up; we asked him the reason; he told us that this Rawlinson had been in one of his mad tantrums, and did not come up in proper time for his supper; he said I punched him in the backside with my clog, and Rawlinson took his porridge and threw it over me, then I took my fist and knocked him down, and says he I gave him such a kick with my clog that I sent it two or three inches into his ribs, and he cried oh! then he got up again, and I sent my clog into his ribs three or four inches again, and I did this four times running, and then I got him locked in his cell; and then Mr. Birch came puffing and blowing out of breath, and he asked what was to do; and I told him nothing, but that Rawlinson was in one of his mad fits; then, says Birch, fetch me the bull's pizzle, and I went and brought it, it was at one end as big as my fist, and Birch told me to turn Rawlinson out of his cell again, and I did, and Birch then laid on him with the bull's pizzle, and had him down in a corner, and he screamed out murder, and then Birch gave over licking him, and I took and locked him up in the cell again; and then Mr. Cooper came up and asked what was to do; and I told him that Rawlinson was in one of his mad fits; Cooper said, turn him out again, and I'll pay the devil; and then I turned him out again, and Cooper took the bull's pizzle, and laid on him as hard as he could, and I held him, and I got a blow over my hand while Cooper was striking him over the belly, when Rawlinson was down upon his back; and then we locked him up again, and left him until the morning. *Thomas Griffith.*

Did Lee say any thing more?——Yes; he said breakfast was made the next morning, but the order was that Rawlinson should not have any breakfast nor no meat that day; and Lee said, that on the same morning, which was Sunday morning, John Clark, Thomas Birch, and John Dewsnip, fetched Rawlinson out of his cell, and took him and double-ironed him on either leg, and handcuffed him on both hands, with a chain round his middle, and the handcuffs fastened to the chain so that he could not get his hands higher than his middle, nor nearer together than about half a foot asunder, and chains from both legs up to the chain round his middle; Lee also told me, that after Rawlinson was so chained and ironed, he was locked up in a low cell, and they left him for the night.

When Lee gave you all this account, was anybody else present?——There was; Henry Perry for one, James Shaw for another, and also Elijah Major, and a dozen more, but I cannot now tell their names; they were near enough, and heard the same as me; John or James Dodgen was also present.

Did Lee tell you that he was present himself when John Clark, Thomas Birch, and John Dewsnip fetched Rawlinson out of his cell and chained him as you have described?—— Lee did tell me that he was present at the time.

Having now told us all that you say Lee told you, you are now asked, whether you have any complaint to make as to your own treatment?——They put more work on us than we are able to do, and when we do not do it they take our half pound of beef from us; and they do not give us our full allowance of butter; and the loaves are only a pound and a half, which ought to be two pounds. [Withdrew.

[Here the irons were brought into the room, and the Commissioners having examined them, ordered one of the attendants to put them on, to shew the manner in which Rawlinson was ironed at the time of his death.]

Thomas Lee called in again; and being duly sworn, is further examined, as follows:

Look at the irons you now see upon this person; are they the same, and put on in the same manner that Rawlinson was ironed when he was found strangled?——They are like them in every respect; and put on in the same manner. *Thomas Lee.*

RICHARD SMITH called in; and being duly sworn, is examined as follows:

YOU know of the affair of Rawlinson the lunatic's death?—Yes, Sir; I saw him when he was dead. *Richard Smith.*

Do you know any thing of what happened to him before his death?——No, I do not.

When did you see him dead?——On Wednesday morning, the day of his death, I saw him.

Were you at that time a crown prisoner in this gaol?——I was.

You are now discharged?——I was discharged the 4th of June last.

Where have you lived since your discharge?——At Liverpool.

In what capacity?——As a labouring man.

Did you assist in taking Rawlinson's irons off?——I did.

Was

Richard Smith.

Was he handcuffed?——Yes he was.

Did you take particular notice of the handcuffs and irons?——No, I did not.

Was there any chain around his middle?——No, I saw none.

Was it possible for him to reach his head with his hands?——Yes, I think it was.

Do you think it was possible for a man with those handcuffs and irons on, to strangle himself with a rope?——Yes, I do.

Did you see Rawlinson when he was lying strangled in his cell?——I did; I saw him lying on the straw bed.

Was there any thing round his neck when you saw him?——Nothing but his shirt neck.

Did you perceive any mark upon his neck?——I did perceive a mark, which appeared to be made with a rope, or something which had been tied about his neck.

Did you see Lee about that time?——Yes, he was there, and assisted in taking the irons off.

Did Lee make any observations, and what?——He said Rawlinson had hanged himself; and shewed me the twisted stockings.

Did you assist in laying out the body?——I stood by when his cloaths were taken off; and saw him almost naked.

In what state did the body appear to be?——I saw no mark upon the body.

Did you see any blood upon the body?——I did not; I assisted in laying the body out, and saw the thighs and the sides, and the whole of the body naked, except the back, and about the shoulders.

Must you have seen any mark or blood, if there had been any on the body?——I must.

Whence do you come to give your evidence?——I came from Liverpool, at Mr. Higgin's request.

Did you receive any letter from Mr. Higgin for that purpose?——I did.

Did any body else apply to you?——Nobody but Mr. Hampson.

Who is Mr. Hampson?——I do not know.

State what Mr. Hampson said to you?——He came to me, and asked me if I saw the man who was flogged to death; I said, no, I did not see him flogged; upon which he said, what part of the Castle were you in; I said in the time room; he said, you could see a good deal out of that room; and then he said, that Mr. Wardell wished me to come and give my evidence about it at the next assizes.

Was any proposal made to you respecting money, by Mr. Hampson or Mr. Wardell?——Mr. Hampson said, that if there was any damage, Mr. Wardell would pay the expense, whatever it was.

Was there any other conversation between you on the subject?——Mr. Hampson said, that he would go and see a coachman, of the name of Corkwell, and get him to see for Lee, at Warrington; and then Hampson said he would see me again, if I would come to a public house, kept by George Robson, and I went there and saw him, but he did not speak to me, nor I to him, and nothing more passed.

Since your arrival here, have you had any communication with Mr. Higgin?——Nothing more than that Mr. Higgin said he would pay me for my expenses.

Have you, at any time, said, that when you assisted in laying out Rawlinson's corpse, that it was a mass of congealed blood?——No; I never did, at any time.

Then if anybody has ever said, that you made use of that expression, he has said what is false?—— He has.

Did Mr. Higgin, Mr. Hampson, or Mr. Wardell, or any other person, offer or promise you any thing for the evidence which you might give, touching the death of Rawlinson?——No; no one. [Withdrew.

GEORGE COLLIER, called in; and being duly sworn, is examined as follows:

George Collier.

ARE you a prisoner, confined in this gaol for debt?——I am, and have been since the month of March last.

Do you know any thing of the manner of Rawlinson's death?——On Saturday the 2d day of May last, I was walking in the prison yard, about 30 or 40 yards from the lunatic ward, when I heard a great noise, and upon enquiring amongst other debtors in the yard, was informed, that John Cooper and one Birch were beating one of the lunatics, whose name, I understood, was Rawlinson.

Did the cries you heard appear to come from a person suffering pain?——They did; and I went close up to one of the lunatic wards, and I heard the voice of a man, saying, "You'll kill me, you'll kill me." I then went into my room, called the front wall tower, and I still heard the voice, expressive of great agony; shortly after, on looking through the window, I saw John Cooper come out of the lunatic ward; I heard the man crying, howling and shouting, on the Saturday, Sunday and Monday nights.

You say that you went as near as you could get to the wards where the lunatics are kept; could you hear and have counted the blows?——I did hear blows.

What kind of blows?——It appeared to me like blows with a cord.

Is it customary for these lunatics to make a noise?——I never heard them before.

Is this the whole of what you know?——It is. [Withdrew.

GEORGE

GEORGE TENGATT, being called in, and duly sworn, is examined as follows:

George Tengatt.

ARE you a debtor confined in this gaol?——I am, and have been since the 3d of August 1811.

If you know any thing respecting the death of Rawlinson the lunatic, state it?——On the second of May last, I was walking in the yard near the lunatic ward, and I met Cooper the turnkey, walking down into the lunatic ward, and in the course of six or seven minutes I heard a man cry; the cry appeared to come from one of the lunatics; I heard blows or strokes, but did not distinguish the number; the man cried, "Murder! Kill me! Kill me!" I left the yard, and went into my room immediately, and after I went to bed, I heard the man cry during the night; he made a terrible noise; indeed it was shocking to hear him. And on the Monday morning I heard him again, he made a noise like a dog; and again on the Tuesday morning, about two or three o'clock; and near about the same time on the Wednesday morning; that was the last time I heard him. On the Wednesday morning when I was going to chapel, I heard Mr. Higgin call to one Drummond a debtor, to speak to him; and seeing them and two or three more men going down the garden, I thought something was amiss, and did not go to chapel, and soon after Drummond came out into the yard, with an old knife or bit of iron, rubbed to a point, in his hand; and he said Rawlinson had cut his stocking with that knife, and strangled himself with the stockings. I said it was very strange how Rawlinson had got another knife, as it was reported that Birch, one of the turnkeys, a few days before discovered a knife concealed under Rawlinson's coat, and had knocked him down and taken it from him. Lee afterwards told me, that Cooper beat Rawlinson, and struck him (Lee) over his hand by accident. This is all I know of it. [Withdrew.

JAMES WRIGHT being called in, and duly sworn, is examined as follows:

James Wright.

STATE any thing you know of the death of Rawlinson, a lunatic, who died in the prison?——I know nothing of it of my own knowledge. [Withdrew.

JAMES MALLALIEU being called in, and duly sworn, is examined as follows:

James Mallalieu.

I believe you are a debtor confined in this prison?——I am, and have been one year, the 3d of August instant.

If you know any thing of your own knowledge respecting the death of Rawlinson the lunatic, state it?——I think Saturday was the 2d of May, seeing a crowd going towards the lunatics ward, I followed, and near the ward I heard five or six smart strokes given, as if given with a whip; I heard no cries; and then Tom Lee came out, and he was holding one arm with his hand; and I understood afterwards that he had caught a stroke from the whip; he seemed agitated and in a state of perspiration. I thought Cooper came out immediately after him, and I saw no more of them that night. I was much annoyed in the night by his cries and howling; I heard no cries after the Saturday night and Sunday morning. I have nothing more to say; my son knows something of it, I believe. [Withdrew.

WILLIAM MALLALIEU called in; and being duly sworn, is examined as follows:

William Mallalieu.

YOU are the son of James Mallalieu, and a debtor confined in this prison?——I am; and have been here from the 3d of August 1811.

If you know any thing of your own knowledge respecting the death of Rawlinson the lunatic, state it?——On the second day of May last I went across the yard to the lunatics ward, hearing some cries proceeding from thence; I heard some blows distinctly, and a man crying murder, murder, kill me! he made other cries I could not distinctly hear. After the cries had ceased, I saw Cooper and Lee come out of the ward; Cooper seemed heated, and some one asked Lee what was the matter with his hand, he said Cooper had hit him in striking the man; his hand appeared swollen and red a few days before Rawlinson died; I heard the cries particularly on the Sunday morning. The morning on which he was found dead, Mr. Higgin came up to my room, and observed, that it was a source of satisfaction to him, that colonel Bradshaw had been to see the man a few days before he died; after some other conversation, an observation was made, I believe by myself, that it was a happy thing the man was out of his misery, but that I thought he ought to have been so confined, as to prevent the power of his making away with himself.

Could you judge whether the blows were given by a whip?——I thought the blows were given with a stick; six or seven days after I asked Cooper, if he had beat the man with staves, it having been so said in the yard; he said Pho, pho, it was only with a sixpenny whip, and I never hit higher than his legs. This is all that has come to my personal knowledge. Withdrew. [Adjourned at five o'clock to seven o'clock P. M.]

Seven o'Clock P. M.

All the COMMISSIONERS present.

THOMAS BOWKER called in; and being duly sworn, is examined as follows;

Thomas Bowker.

ARE you a debtor confined in this gaol?——I am; I have been confined here two years next Wednesday

Thomas Bowker.

Do you know any thing of the death of Rawlinson, a lunatic, of your own knowledge?——No.

Were you on the coroner's jury?——I was.

As one of the jurors on that inquest, had you an opportunity of inspecting the body of Rawlinson?——I did not see his body stripped.

Was Thomas Birch the turnkey there?——He was.

Was he standing near the body?——He was.

How much of the body did you see?——His neck and shoulders; there was a mark upon his neck, as if something had been round it; the sheet was turned down, so that I saw below his breast.

Did you desire to see any more?——No, I did not.

Did you observe any marks upon that part of the body which you saw?——No, I saw none but the mark about his neck; and the appearance of a blow upon his eye.

Was the thing, with which he appeared to have been strangled, shewn to you; and what did that appear to be?——It appeared to be his stockings cut into strips, and twilled together, and made so strong that I could not break it.

Did you see any irons upon his legs, or handcuffs upon his hands?——I did not.

Have you any thing else to say?——No, nothing. [Withdrew.

JAMES ROGERS called in; and being duly sworn, is examined as follows:

James Rogers.

YOU are a debtor in confinement in this gaol?——I am; I came the 1st of July 1811, and have been here ever since.

What do you know, of your own knowledge, respecting the death of Thomas Rawlinson, a lunatic?——I went up with the jury, and saw the face and neck of the corpse.

Was the rest of the body covered?——It was.

Did you yourself, or did you perceive any body else, inspect the body without the covering?——No.

Were you there the whole time?——Yes.

If any body had inspected the body without the covering, you must have seen it?——Yes; they could not have done it without.

Did you yourself, or did you hear any body else, express a wish to see the body uncovered?——No, I did not.

Was Birch the turnkey standing by the body?——Yes, he was.

Did you hear Birch, or any other person, offer to uncover the body for any person's inspection?——No, I did not.

Did you observe any marks of violence or wounds about the parts of the body you saw uncovered?——There was a mark upon his eye; I saw no other marks about him, no discolouring about his neck.

Did you see that with which he was said to have been strangled?——Thomas Lee pulled out a stocking from his inside pocket, as it appeared to me, and shewed it to the coroner; it was cut in shreds, and tied in knots; the coroner asked him, if he was the man that found him first; and he said, no, this boy found him first, and pointed to Thomas Clark, I believe his name is, but he is nephew to Mr. Birch the turnkey; the coroner then swore the boy, and asked him to tell the truth, in what state he found the man; he said, he went into the room in the morning, and he thought he was dead; he saw him lie on his back, and that then he ran out and called Thomas Lee, and then Thomas Lee was called up, to give his evidence, and was sworn; and he said, that when he went into the room, he saw this stocking about the man's neck; the coroner asked, whether he felt if the stocking was tight round his neck; he said, it was so tight that he could scarcely get his finger betwixt his neck and the stocking; and the coroner asked him, if he thought the stocking was so tight round his neck, as to choke him; and he said, he did not know whether it choked him or not, but he was dead, and the stocking was round his neck; questions might have been asked about uncovering the body, which I did not hear; Mr. Birch said, that the bruise on his eye was got with fighting with another lunatic.

You say, that you are sure in your recollection about these things, because you have been thinking of them ever since you knew that you were to appear here; how did you know that you were to appear here?——Bowker told me about an hour ago.

Have you had any conversation with Mr. Wardell, about being called upon to give evidence?——No; but I heard in the course of the morning, that I was to be called upon.

Was Mr. Higgin present when the coroner's inquest was taken?——No, he was not.

[Withdrew.

JOSEPH DICKINSON called in; and being duly sworn, is examined as follows:

Joseph Dickinson.

ARE you one of the debtors confined in this gaol?——I am; I have been here these nineteen months.

Were you one of the jurors on the inquisition on the body of Thomas Rawlinson?——I was.

Did you see the body?——I did; it was covered with a sheet, in the usual way that a corpse is laid out.

Did you see the body naked?——I saw his neck and bosom.

Who was standing by the body?——Birch.

Did

Joseph Dickinson.

Did you, or any of your fellow jurors, desire to see the body naked?——I did not; nor did I hear any of the jurors desire it.

Did any body offer to uncover the body?——No.

Did you observe any marks or bruises on that part of the body which you did see?——I saw a mark on his eye, and questioned Birch how he got it; and he told me, that it was fighting with one of the madmen.

Have you any knowledge of your own, how Rawlinson came by his death?——I have not.

Was Mr. Higgin, or his son, present during the inquest?——No.

Were the irons or handcuffs which were upon him, when he was found strangled, shewn to you?——No, they were not. [Withdrew.

JOHN BRADSHAW, Esq. called in; and being duly sworn, is examined as follows:

John Bradshaw, Esq

I believe, Sir, you are a magistrate for this county?——I am.

Have you generally been in the habit of acting as one of the visiting magistrates at the Castle?——I have.

Did you, some little time ago, in consequence of something that happened, visit the lunatic ward of this prison?——Not on that account; but I came about a dispute that had happened in the gaol; and I went to the lunatic ward, and ordered the lunatics to be turned out, to look at them (this was on Tuesday the 5th of May) and I asked, what was become of Rawlinson? Mr. Higgin attended at the time, and ordered him to be turned out; he was cross-handcuffed and in irons; he ordered Birch the turnkey, to fetch him out, and he did; and he was furiously mad, and he fixed his eyes upon me; his dress was a callico short shirt down to about the middle of his thighs, his breeches were down hanging over his irons, upon his feet; his legs, down to the ancles, were perfectly bare; I think it was about one or two o'clock; I think his shirt neck was open, and his body, down to the navel, perfectly bare.

Did you observe any marks of violence?——His breast had a very healthy appearance, as much so as any man's I ever saw in my life; his legs and thighs had not the least appearance of violence.

If there had been any appearance of violence about his legs and thighs, must you have seen it?——I must.

Did you observe any mark of violence upon his eye?——I did not.

Did he appear to be in health?——In perfect health; but furiously mad.

Could you see if there was any marks of violence about his back or sides?——I could not.

Did you observe any blood mark or stains upon his shirt or linen?——There was none.

After this, what was done?—He was put back into his cell and locked up.

You have said, that he was cross-handcuffed; to the best of your belief, could he have strangled himself if he had had a rope?——I think he might.

Are you acquainted with the character and conduct of Cooper and Birch, the turnkeys?——I have known them ever since they came to the Castle, and they are both men of excellent character.

Are you in any way related to Mr. Higgin?——I am not related, but my sister married Mr. Higgin's brother-in-law.

Do the visiting magistrates of Lancaster Castle keep any journal of their proceedings?——No.

As to the general character and conduct of Mr. Higgin, what do you say to it?——His character is unexceptionably good, both as to his conduct as a gaoler, and his general moral conduct. He has done a great deal for the gaol, and for the county: he has kept many a poor prisoner alive by his charity. The gaol, go when you will, is as clean as any house in Lancaster. [Withdrew.

ROBERT MATHER called in; and being duly sworn, is examined as follows:

Robert Mather.

ARE you a debtor confined in this prison?——I am; and have been about seventeen months.

Were you one of the jurors on the inquisition that was held on the body of Thomas Rawlinson?——I was.

Did you see the body?——I did.

Was it covered or not?——It was covered with a sheet; I saw his face, no other part of the body; he had a black eye, that was all that I noticed. [Withdrew.

JOHN PARKER called in; and being duly sworn, is examined as follows:

John Parker.

ARE you a debtor confined in this prison?——I am.

Were you on the jury on the inquisition taken on the body of Thomas Rawlinson?——I was.

Was the body covered?——It was laid out with a sheet over it.

On that part of the body which you saw, did you observe any marks or bruises?——He had a black eye, and there was a mark on his neck as if he had been strangled. [Withdrew.

ORMEROD DEARDEN being called in, and duly sworn, is examined as follows:

Ormerod Dearden.

ARE you a debtor confined in this prison?——I am.

Were you one of the jurors on the inquisition taken on the body of Thomas Rawlinson?——I was.

Was the body covered, or uncovered?——Covered with a sheet, and laid out with the face and neck bare.

Did you see any mark of violence on any part of the body?——I saw a black eye, and that was all that I noticed. [Withdrew.

JAMES DRUMMOND called in; and being duly sworn, is examined as follows:

James Drummond.

ARE you a debtor confined in this gaol?——I am; I have been here since the 9th August 1811.

Have you any thing to depose, of your own knowledge, respecting the death of Thomas Rawlinson, a lunatic?——Mr. Higgin sent for me, he said he understood that an unfortunate lunatic had strangled himself, and asked me to go with him to the lunatic ward.

On what day, and what time of the day?——It was on a Wednesday morning about 9 o'clock; I went with Mr. Higgin, Birch, and Lee; I saw Rawlinson upon his back, dead; Birch examined him, and asked me to feel how tight the rope was round his neck.

Was this the first time that you had seen the lunatic?——I had never seen him before; I felt the rope, and found it so tight that I could scarcely get my finger betwixt the neck and the rope.

What did the rope seem to be made of?——It was made of stockings.

Had Rawlinson any stockings on?——He had not.

Was the neck discoloured?——He was black round the neck; the stockings was wrapped many times round the neck, and Lee had some difficulty in finding the ends. His face seemed distorted. [Withdrew.

THOMAS WRIGHT called in; and being duly sworn, is examined as follows:

Thomas Wright.

HOW old are you?——Most fifteen, I believe.

[Here the Witness was asked if he perfectly understood the solemn obligation he was under, to speak the truth on the oath he had taken; and answered that he did.]

What are you?——I am the grandson of Thomas Birch, one of the turnkeys.

What do you know respecting the death of Rawlinson?——Thomas Lee and I went on Saturday morning the second of May, up with Rawlinson's breakfast; Lee opened the cell door, and gave the breakfast to Rawlinson, who threw it at him, and Lee was going to put the cell door to again, and Thomas Birch, my grandfather, stepped up and fastened the door; and we then came down stairs, and did not go to him again until night with his supper, and Birch offered him his supper, and Rawlinson ran at him, and they thought they could not manage him, and my grandfather sent me for John Cooper, and he came and opened the cell door, and Rawlinson ran at him; and Cooper had a whip, and he struck Rawlinson upon his thighs.

Are you sure that he used nothing but a whip?——I am sure he did not.

When did they put him in irons?——They put him on a pair of handcuffs that day.

Did you see him on Tuesday evening?——I did; he was then fettered and handcuffed.

Describe the handcuffs?——They were not cross handcuffs, he could wriggle his hands about in them.

Did you see him dead on Wednesday morning?——I did.

What handcuffs had he on?——He had the handcuffs on which I have been speaking of, and leg irons, and a chain from his leg to his hands; he lay upon his back upon the bed.

Was the beating he received in your presence very violent?——It was but a small whip and I do not think that the beating was very violent.

Were you in the room when the coroner's jury was there?——I was.

[A whip was here produced to the Witness, which he said he believed to be the same with which Rawlinson was beat.]

Was the body covered or not?——The sheet was pulled off down to his feet, when the jury went in. [Withdrew.

JOHN DEWSNIP called in; and being duly sworn, is examined as follows:

John Dewsnip.

ARE you a crown prisoner in this gaol?——I am, and have been so nearly two years.

Do you know, of your own knowledge, of any thing that happened in the lunatic ward on Saturday evening the second of May?——No, I do not.

Tell us then what you know respecting Rawlinson?——I cook the dinners, and Rawlinson slept over the cook's shop; and he screamed out very loud, and I could hear him for about an hour and a half the Sunday before he died; and when he screamed out I heard some of the debtors in the necessary say, they are ill using him now; and no person was nigh him at that

John Dewsnip.

that time. On the same morning, I went up with Birch and Clark to his cell with his breakfast; he had broken his handcuffs, and thrown them through the bars of the window.

Did you ever see the lunatic but in the presence of the turnkeys?——No, I did not. I helped to take him down to the day yard on the Sunday, and he screamed very much, and said, "I wish I had my bloody knife;" he cried murder, and spit in Clark's face; when we got him into the yard, he was ironed and put into the cell and locked up. I never saw him struck at all, and did not see him after that Sunday until after his death; at the time that I saw him he was in good health.

What sort of handcuffs had he put on?——They were not the cross handcuffs, but his hands were a little way apart. [Withdrew.

JOHN HANKIN called in; and being duly sworn, is examined as follows:

John Hankin.

ARE you a debtor confined in this Castle?——I am, and have been nearly eleven months.

Have you any thing to communicate respecting the death of Rawlinson, of your own knowledge?——I am resident in a room near to the lunatics ward, where he was confined; I heard him cry out several times murder, on the second, third and fourth days of May, and several days before; but I do not know what occasioned him to cry. Not long after the death of Rawlinson, I heard Mr. Wardell say that he would send for two of the crown prisoners who had been discharged, and give them money to swear against Mr. Higgin.

Did you make any observation to him upon that?——I did say, Mr. Wardell you had better let it alone; and he said I will not, I am determined to have revenge, he would not send for a magistrate in the dispute between me and Livesey; he said he would certainly get Mr. Higgin out of his situation; the two Mallalieus were present at the time, and said they would join Mr. Wardell and try for it; and when Mr. Higgin went across the yard they said there goes the damned scoundrel, we'll get him out of his situation very soon; Wardell said this, and Mallalieu said, yes, otherwise we will try for it. I considered this very malicious, and told Mr. Higgin of it about a fortnight ago; I did not come here at the desire of Mr. Higgin, I came voluntarily to give evidence impartially. I was intimate with Mr. Wardell when this took place, but I have changed my opinion of him about a month since; there has been no quarrel, but I have discontinued my acquaintance with him. [Withdrew.

JOHN CLARK called in; and being duly sworn, is examined as follows:

John Clark.

ARE you one of the turnkeys of this prison?——I am.

What do you know respecting Rawlinson's death?——Dewsnip, Thomas Birch and me went up stairs, and took Rawlinson his breakfast, on Sunday morning the third day of May, about half past nine; Thomas Birch said to me, he is in that cell, pointing to it, open the door, you need not be afraid, for I have put him handcuffs on; I said no, he has broken them off, they lie there upon the floor; Birch took them up, and said he would open the door, and placed me on one side the door and Dewsnip on the other, to be ready to catch him; Birch opened the door, and Rawlinson was in bed, and I told him to get up; he then made a jump up from the bed, and violently rushed out of the cell, and I caught him on one side and Dewsnip on the other, and we took him down stairs, and he cried out murder violently; I did not see him beat.

How was he dressed?——He had a loose jacket on; and his shirt with the neck open and loose; he had no breeches on, I saw his limbs up to his hip, and I saw no marks of violence upon him whatever; I never saw him afterwards.

Are you sure there was no other person except yourself, Dewsnip and Birch, when you went up on Sunday morning to Rawlinson?——No, there was no one else that I recollect; upon further recollection, I think Lee was with us. [Withdrew.

JAMES FINCH called in; and being duly sworn, is examined as follows:

James Finch.

ARE you a crown prisoner in this Castle?——I am, and have been about three years.

Do you know any thing about the death of Rawlinson?——I helped to strip him after his death; we took off all his clothes but his shirt.

Did you see any appearance of blood upon his shirt?——No, I did not.

Did you see any bruises or marks of violence about his body?——There was none, but a mark about his eye, and his neck was yellow where he was strangled; the Monday before, Rawlinson told me that Patrick Davies, another lunatic, had struck him on his eye.

If there had been any marks upon him, do you think you should have seen them?——I am certain I should, for his shirt was open, and I saw his body, and put him into his coffin. [Withdrew.

WILLIAM WIGAN called in; and being duly sworn, is examined as follows:

William Wigan.

ARE you a crown prisoner?——I am.

Did you assist in stripping Rawlinson when he was dead?——I did, the same day that he died; Richard Smith and James Finch assisted also; his shirt was rolled up as high as his breast, and his body otherwise quite naked, he had a black eye, and his neck was black; I did not see any other marks about him, and I must have seen them if there had been any. [Withdrew.

ELIJAH MAJOR called in; and being duly sworn, is examined as follows:

Elijah Major.

ARE you a crown prisoner?——I am, for felony, and suffering my punishment.
Do you know any thing of the death of Rawlinson?——I do not.
Had you any conversation with Lee or Griffith about him?——I had not.
[Withdrew.

ROBERT HIGGIN being called in, and duly sworn, is examined as follows:

Robert Higgin.

ARE you the son of Mr. Higgin, the keeper of this Castle?——I am.
What profession are you?——I am an apprentice to Mr. Baxendale, a surgeon and apothecary.
Had you an opportunity of seeing the body of Rawlinson soon after his death?——I had; I went on the same morning and examined the body very minutely; there were no marks of violence about him, except that one eye was black, his neck discoloured, and a small mark on his leg, a little above the ancle; I examined the body only externally. [Withdrew.

HUGH ALEXANDER called in; and being duly sworn, is examined as follows:

Hugh Alexander.

WHAT business are you?——A joiner and carpenter, and work in the Castle.
Did you serve on the jury on the inquest on Thomas Rawlinson?——I did.
Did you see the body?——I only saw his face and breast.
On so much of the body as you did see, were there any marks of violence?——His neck was a little blackish.
Did you ask to see the body uncovered?——No; the sheet was turned down to his breast. [Withdrew.

JAMES HILL called in; and being duly sworn, is examined as follows:

James Hill.

WHAT trade are you?——A joiner.
Were you on the jury on the inquest taken on Thomas Rawlinson?——I was.
Did you see his body?——I saw him in the coffin; there was a sheet over him, which was taken down part of the way, and might have been, if any body wished it, taken down further. The coroner or the foreman told the jury if they wished it, it should be taken off. I saw no marks of violence; I did not examine him particularly. [Withdrew.

ROBERT DOWNIE called in; and being duly sworn, is examined as follows:

Robert Downie.

WHAT are you?——A stone-mason, living in the town; I was on the jury, and saw the body; it was not in a coffin; I saw no marks of violence; I did not look particularly; I heard nothing said about taking the sheet off. [Withdrew.

JOSEPH MUSCHAMP called in; and being duly sworn, is examined as follows:

Joseph Muschamp.

WHAT are you?——I am a stone-mason in the town of Lancaster; I served on the jury; the body was exposed as low as the breast; it was not in a coffin; it laid upon a table with a sheet over it; I saw no marks of violence. [Withdrew.

THOMAS HIGGIN called in; and being duly sworn, is examined as follows:

Thomas Higgin.

ARE you son of Mr. Higgin, the keeper of the Castle?——I am; I have frequently seen Thomas Rawlinson; he was raving mad at times; about two years ago he made an attempt upon his life. I saw him suspended, and saw one of the turnkeys cut him down.
Half past 11 o'clock, P. M.—Adjourned to 6 o'clock Monday morning.

Monday Morning, 6 o'clock, August 17, 1812.

COUNCIL CHAMBER, Castle of Lancaster.

All the COMMISSIONERS present.

[A Letter was laid on the Table, received from Mr. Wardell.]

JOHN COOPER called in; and being duly sworn, is examined as follows:

John Cooper.

ARE you a turnkey in this prison?——I am.
How long have you been so?——About 3 years constant.
Have you any thing to do with the lunatic ward?——I generally attend there when Mr. Birch is off.
Relate what you know respecting Rawlinson's death?——On the morning that Rawlinson was so very rough, Mr. Birch sent for me; I cannot exactly say the day, but think it was on a Saturday, in the beginning of May; Birch sent me word that Rawlinson had broke his handcuffs off, and thrown them through the window; Birch said we must be very careful or he will spoil some of us; you had better take this little whip in your hand, and shake it at him,

John Cooper.

him, it may very likely frighten him; I took the whip, and I think Lee or Birch, I cannot tell which, opened the door; and Rawlinson came out very rough indeed; Birch told him to take off his clogs, and he screamed very hard; he did so all the time, and said I won't.

Why did you desire him to take off his clogs?——For fear of his kicking us; I spoke to him myself, and told him to take his clogs off, and he said again he would not; and he then came violently at me with his hands, set ready to clasp at me, and I kept him off, by tapping his hands with the whip; I did not wish to strike the poor fellow; and when he was running at me, Birch told Lee to slip behind him, and seize him by the back of the neck; Lee did so, and pulled him down upon his back, and when he was down, Birch and me got hold to pull his clogs off, we got them off, and he kicked terribly about after we got them off, and he attempted to get hold of Lee by his privates; he did get hold of his breeches, and then I struck him with the whip across his legs and thighs.

What was your purpose in doing that?——To make Rawlinson loose his hold.

Did you repeat your blows often?—— I might about eight or ten times, but not more; I am certain that it was the same whip that I struck him with, which was brought to this room on Saturday; we have no other.

Did he make a continual noise during this time?——He had been for some time before doing so, and continued so to do.

What did you do then?——Rawlinson rose up at Birch and seized him by the breeches, and was going to bite him, and I rapped him over the fingers with the thick end of the whip to make him break his hold, and we got him loose.

Was he whipped any more after that?——No more, not the least blow whatever.

What was done with him then?——We put him into his cell, locked him up, and left him there.

State to us distinctly, upon your oath, was he to your knowledge beaten any more between that time and the time of his death?——No he was not to my knowledge; I think I may safely say he was not.

Did you see him after his death?——No, I did not; I went to Stockport on the Monday morning, and did not return until Thursday evening.

Did you help to put the irons on him?——I put them on myself, with the assistance of Dewsnip, and I think Lee.

Did you see the irons which were shewn to us on Saturday last?——I did.

Were they the same as those you put upon the lunatic?——They were.

When was it you put those irons upon him?——It was on the Sunday morning.

Did you put any irons on him on the Saturday?——No; he was too rough on the Saturday.

Do you know whether any one else put irons on him on the Saturday?——I do not; but he had none on him when I saw him on the Sunday morning.

Where was he when you put the irons upon him?——At the bottom of the steps in the lunatic yard.

Did you help to bring him down to the lunatic yard?——I did not.

What sort of trowsers had he on when you struck him with the whip on the legs and thighs?——A pair of thick pillau fustian.

Is it necessary to pass through the garden to and from the lunatic yard?——We can go no other way.

On the Saturday after putting the lunatic into his cell, as you have been describing, whom did you see first as you came through the garden?——I cannot recollect particularly, there was several walking about in the debtors yard.

While you were with the lunatic on the Saturday, treating him as you have mentioned, did any thing happen to Thomas Lee?——Yes, he got a blow on the back of his hand by accident.

How soon after that did you go up to the debtors rooms?——I certainly did not go up to the debtors rooms until lock-up time; and I rather think, I did not go up that day at all from the gates.

Do you know a debtor of the name of Wardell?——I do.

Where did he sleep at that time?——He has always slept in No. 2, since he came here, except a few nights, when the Mr. Mallalieus were at Manchester, meeting the Commissioners of Bankrupt, and then Mr. Wardell slept in No. 4, Mr. Mallalieu's room.

At the time of which we have been speaking, did Mr. Wardell sleep in No. 2?——Yes.

Endeavour to recollect, whether you locked up that room on the night of the Saturday to which we have been referring?——I think I did not; but I cannot be positive.

Do you recollect any observation made to you that day by Mr. Wardell, relating to Rawlinson?——I do not recollect any.

Has Mr. Wardell ever said to you, "Cooper, you must have killed that man," or words to that effect?——Never; upon my oath never.

Did you ever say to Mr. Wardell, or to anybody else, "I only knocked him down three times," or words to that effect?——I never did, upon my oath, say those words, or any words like them, to Mr. Wardell or any one else.

Did Mr. Wardell ever say to you, "Have you sent for a surgeon; that Rawlinson must be terribly mutilated?"——He never did say those words to me.

Who usually keeps the keys on the crown side?——Birch; he has the care of that part, and I have the charge of the debtors gates. [Withdrew.

THOMAS BIRCH called in; and being duly sworn, is examined as follows:

Thomas Birch.

I believe you are one of the turnkeys of this gaol, to whom the care of the crown side is intrusted?——I am; and have had the situation close upon eleven years.

You have also the principal care of the lunatic ward?——I have.

Do you recollect finding the lunatic Rawlinson in a particular furious state at any time in the month of May last?——I think, on a Friday morning, in May last, I sent my grandson Thomas Wright, and Thomas Lee, up with the lunatics breakfast; and I heard a scuffle, and ran up, and found them putting Rawlinson into his cell; and I was just in time to lock the door up myself.

Did any thing else pass then?——Not at that time; but on the Saturday morning, I think I went up with my boy Thomas Wright, to take the lunatics their breakfast; and I think Lee was with us; and I gave Rawlinson his breakfast; I opened the door, and put it in to him; for I was afraid of him; he had often torn my waistcoat and shirt, and used me ill.

Did he receive his breakfast from you?——He did.

Was he crying out?——He was; and had been, for some days and nights, making a great noise; crying, "murder!"

Did you do any thing to him then?——Nothing more at that time; at supper time I carried him his supper, and took Lee and my boy with me; and I opened the cell door, and he rushed violently out, and seized fast hold of me; but I got him back into his cell, and I sent for Cooper; and he came; and seeing Cooper, Rawlinson ran at him very furiously; Lee then laid hold of him, and got him down, and I got hold of him by the collar; and he rose, and got fast hold of the inside of my thigh; and I bid Cooper to loose him, and he tried, but could not; and I then told Cooper to hit him across the legs and thighs, with a whip Cooper had in his hand, to break his hold. It was a very particular direction of Mr. Higgin to us, not to strike any man; but upon this occasion it was absolutely necessary; he might receive six or seven strokes with the whip, or it might be eight or ten; when we got him loose, I sent Wright or Lee for a pair of handcuffs.

How many sorts of handcuffs have you?——Three sorts; we have handcuffs with a rivet or joint between the hands, which keep the hands about 4 inches apart, but enables the person to turn his hands any way; another sort we call figure-of-8 handcuffs, because they resemble that figure, and keep the person's hands confined close to each other, one above the other; and a third sort, which have a chain of about a foot long between the hands, and which we consider very dangerous for lunatics, as with them they might strangle themselves, or any one else.

[The three sorts of handcuffs described by the Witness, were brought in, and shewn.]

Which of those sorts did you put upon Rawlinson on the Saturday night?——The figure-of-8 sort.

Did you put them on yourself?——Yes, I did, Tom Lee holding his hands.

Of this you are confident?——Yes, and I will tell you the reason why; the next morning, when I went up with Clark to give the lunatic his breakfast, Clark seemed afraid of going into Rawlinson's cell, and I said you need not be afraid, for I put a pair of figure-of-8 handcuffs upon him last night; Clark said, he has not the handcuffs on, for they lie here; and I then saw the handcuffs lying in the area, broken; we then opened the cell, and out he rushed; and we seized him, me and John Clark and Dewsnip, and we brought him down into the yard; and then we put on a pair of rivetted handcuffs on, of the sort I first described.

As the lunatic was so furious, how came you to put on a pair of handcuffs which allowed him a freer use of his hands?——They were much stronger. While we were putting the handcuffs on, Mr. Thomas Higgin came, and desired him to be put into the cell in the yard, where we left him; and went again at dinner time, and also at supper time, and gave him his meals. On Monday Mr. Higgin came, and said to me, Thomas, don't let out the other lunatics, but let out Rawlinson, and let him have the yard to walk in; and I did so; and I think it was that day, or Tuesday, that colonel Bradshaw came; Rawlinson was then very frantic; he had torn his clothes off, excepting his shirt and part of his jacket.

Did you see his legs and thighs?——I did.

Did colonel Bradshaw look at his legs and thighs?——I don't know; not particularly, I believe.

Did you see any blood upon his body, or spot of blood or stain upon his body, or linen?——I did not.

Did you see any marks of violence on his body?——I did not.

When did you see him again?——I did not see him again until after he was dead; Lee and my boy attended him all the Tuesday, and they locked him up on Tuesday night.

After Rawlinson was locked up on Tuesday night, to whom were the keys of the place, where he was, entrusted?——To me; they always are every night; and I am sure they were delivered to me that night, about 8 o'clock; and they remained at the back of my door in the lodge.

Did you find them there when you got up in the morning?——I did.

In what place?——In the same place in which I put them overnight.

Between the time of your putting them there overnight, and your finding them there in the morning, could any one, by possibility, have got to them?——No; I always lock myself up in the lodge, called the round house, where I sleep.

At

Thomas Birch.

At what hour did you go to him in the morning?——A little before eight I carried him his breakfast; and Thomas Lee, who generally went with me and my boy, accompanied me. I think Thomas Lee went into the cell first, but I am not positive whether it was him or the boy; Lee said, "Tom, here's your breakfast," and he did not answer; and one of them said, he is dead; and I went and I found him dead.

Describe his situation.——He was lying on his back on the bed, and his face was discoloured; and I directly ran for Mr. Higgin; Lee and my boy followed me out of the yard. I told Mr. Higgin what had happened, and he came directly; and as he was coming through the debtors yard, he asked Mr. Drummond to go with him, which he did, to the cell; we then examined Rawlinson, and found his stockings torn in strings and twisted together, and tied tight about his throat.

When and where was the coroner's inquisition held upon the body?——The next day in the new tower, where the body had been carried and laid out.

Say how the body was laid out?——Upon a table; a sheet was laid upon the table, and the body on the sheet, and some part of the sheet was thrown over the body; I assisted in laying him on the table.

Did you observe any marks or bruises upon the body?——He had none.

Did any of the jurors or persons present, inspect the naked body?——I don't know that they did particularly; but they might if they had pleased. I turned the sheet off the body down to the ancle, as I thought they would look at the body; and I did it on purpose.

What was the charge upon which Rawlinson was brought to the gaol?——Murder.

Had he ever before attempted any violence upon himself?——He had; about two years or more before his death he attempted to hang himself; he was found hanging by the neck by a cord.

How did he get a cord?——He had been allowed to work at weaving occasionally, when he was well; and he got the cord from the loom where he had been working. I held him up while another man cut him down; half a minute more and he would have been dead.

Was Mr. Thomas Higgin there?——I think he was, as soon as we got Rawlinson down upon the floor.

Did he ever make any other attempt?——I don't know that he did; I once before took a cord from him.

Was he ever allowed a knife?——No; but he once broke one of the tubs, and got an iron hoop from it, a part of which he sharpened and formed so as to resemble a knife; and I took it from him. [Withdrew.

JOHN UNTHANK called in; and being duly sworn, is examined as follows:

John Unthank.

ARE you a debtor confined in this prison?——I am; and have been about fifteen months.

Do you know any thing respecting the death of Rawlinson?——On the 28th or 29th of April last, Birch the turnkey for the crown side, called Mr. Wardell and me to him, when he was in the garden; he said, gentlemen look here, I have just taken this knife from Rawlinson (shewing a knife); I found it hid in his bosom, and I have no doubt but he meant to do me some injury with it; but the man is more knave than fool; he was pinioned very fast and we let him loose, but we have pinioned him again, and he shall remain so. On Saturday, the 2d of May, between six and seven in the evening, I heard the cries of murder, murder! kill me, kill me! and several blows struck, as if with a large stick, on some person's back as I thought; I counted about forty blows; and then the turnkey, John Cooper, came down from the lunatic tower, seemingly very much exhausted, and in a violent perspiration. Tom Lee came out also, and said, he had received a blow from Cooper upon his arm, which he said he was obliged to bandage, from pain and a violent swelling; he said he received that blow which the poor man should have had. The following day, I heard the man at different times cry out, "blood, blood!" and several very dreadful screams, which were shocking to hear. On the Sunday, the 3d of May, I was walking by the garden side by myself, I heard Cooper say to Birch, "I am afraid we have killed the man;" but I am not certain whether he said we or I; they were coming out of the tower, and I suppose they did not see me. Cooper said to Birch, "You must take care of him, for I am going away to-morrow morning with Miss Horton to Stockport, before the Commissioners." I heard the poor man screaming every day more or less, until he died. On the Wednesday morning, which was the sixth of May, I went to the chapel as usual, and when I came out, James Drummond, a debtor, called me to him; says he, Mr. Unthank, what do you think; I replied, I don't know, Drummond; what is to be done; he said Mr. Higgin sent for me, and took me to look at the man, I found him lying upon his back strangled, and a knife lying beside him, with which he had cut his stockings into shreds. I asked him what state the man was in; he said he was handcuffed and chained, which made me wonder how he could do it.

Has the debtors part of the prison been for some time past in a disturbed state?——It has.

I believe Mr. Higgin and yourself have not always agreed?——We have not.

And it has been your misfortune to have some disagreements with your fellow prisoners?——It has.

Did any disagreements and quarrels exist, previous to the affair of Rawlinson?——No; I spoke my mind freely on that occasion, on the 15th of May, being my birth day, when I was elevated.

Was there a quarrel between you and Mr. Spencer, a debtor?——There was; one night

John Unthank.

in November last, when I had been spending the evening, and was rather elevated in liquor, he took advantage of me, and knocked me down twice; the next day, about 11 o'clock, as I was going to the new buildings, Spencer began again calling me every thing that was bad; a battle ensued, and I knocked him down two or three times; Spencer then stripped himself, and I struck over him, and he stooped down, and pulled me upon him, and his leg was broke; Mr. Higgin did not interfere, but took from me the county allowance, and I have been deprived of it ever since.

Had you a quarrel with Drummond?——I had; he is a very bad man, and he knows that I dislike him for his violence against government; some time in October last, I was intoxicated, and we had some words; I know I called him bad names, he was quite sober, and he struck me, and broke two of my ribs, and hurt my eyes very much; they were swelled up, and I lay in bed for a fortnight; I made no application to Mr. Higgin about it. On the 15th of May, I had a private letter from Sir Francis Burdett, dated the 11th May, and I spoke of it in the room, saying, there, gentlemen, is a letter from another nobleman. Drummond said, I knock'd you down before, and I'll do it again; he pulled off his coat twice, and said he would thrash me well; my wife was present, and prevented any thing more taking place; and Drummond the next day challenged me to fight, but no fight took place; and the same day I was desired to attend Mr. Stainbank in the office, to whom Drummond made a complaint against me, for violent conduct and threats towards him; and Mr. Stainbank told me, I must find sureties, and refused to hear me or any witnesses, he said, he was bound to take Drummond's oath before my word or witnesses, and said, if I did not find sureties, I must be committed; I requested him to wait half an hour, while my wife went into the town to procure sureties, and he did wait until my wife came back; she had been to several tradesmen, but they durst not do it on account of Mr. Higgin; I went down to the office, to inform Mr. Stainbank that I had not succeeded; they desired me to step into the lower office, which I did, and Cooper and Clark were called in before the magistrate, and gave every testimony against me; I told them, I had nothing to do with this private business, that I was convinced it was a plot against me, to send me to the crown side, to intercept my letters; and they did send me to the crown side on the 16th of May, which was Saturday, and kept me until the 18th, and Mr. Higgin did intercept a letter of mine, opened it, and sent it to me; Mr. Stainbank first fixed the bail in £.20. each, and myself in £.40. which was afterwards, upon the application of my wife, mitigated to £.10. each, the bail and myself in £.20. which I found, and was removed back to the debtors side, and then I found myself turned out of the room, and my bed and bedding and other property all thrown between the gates; I was then put into number 4. where I have remained ever since. Clark afterwards accused me of having thrown the door back in his face, upon which a magistrate was sent for to bind me over again to keep the peace, and I was ordered to enter into recognizance in £.20. and find two bail in £.10. each, and I was bound over in my own bond of £.20. but could not find bail, and Mr. Higgin proposed that I should be excused finding bail, upon my begging pardon of the turnkey, which I did, saying, that if the door had hit him, I had no intention to offend him or to hurt him, and that it was mere accident. I have to complain, that when I offered Mr. Wardell as my evidence, to prove that Clark was some paces from the door when it was thrown back, that Mr. Higgin refused to send for him; Mr. Wardell was of opinion, that it was very bad conduct towards me, and said, Never mind, we shall set them all to rights by and by. On the night before the accusation was made by Clark against me, he insulted me when I went down to the gates to see my wife out; both Clark and Livesey, another turnkey, insulted me and my wife, by jobbing a lanthorn against my face, and hissing at me, and I intended to have acquainted Mr. Higgin of their conduct in the morning. At the Quarter Session held on the 14th of July, I appeared to Drummond's charge, and he exhibited articles of the peace against me, and the Court ordered me to find fresh bail; they would not take the same bail again, and I was sent to the crown side again. On the same 14th of July, Cooper served me with a copy of a writ for defamation, in saying, that he had been the death of Rawlinson, and the cause stands for trial at the next Assizes. I have had notice of trial; they say, they are sure of getting a verdict against me, and if I have the benefit of the Insolvent Act, they will arrest me for the costs, and confine me here again.

Have you any complaint to make, with respect to the interception of a letter?——Yes; of a letter to me.

Was it a letter by the general post?——Yes.

How do you know it was intercepted?——It came open under cover to me from Mr. Higgin himself through the hands of Thomas Wright, the grandson of Birch.

Did Wright tell you that he brought it by Mr. Higgin's order?——Yes.

Was any excuse made to you for opening your letter?——None at all; they charged me one penny.

If you want to send a post letter to any of your friends, what method do you adopt?——There is a box near the gate, where all the debtor prisoners may go and put their letters.

Then you are not obliged to send your letters first to the gaoler or any of his servants?——No.

Did it happen to you more than once to have your letters intercepted?——No, Sir.

[Withdrew.

William

William Goulden called in again; and being duly sworn, is further examined as follows:

William Goulden.

WHAT have you to say respecting the death of Rawlinson?——Nothing more than hearing the blows, which I counted, to the number of thirty-four; and I also heard the cry of murder.

[Withdrew.

Mr. JOSIAH BAXENDALE called in; and being duly sworn, is examined as follows:

Mr. Jos. Baxendale.

HOW long have you been surgeon to the Castle?——I was appointed surgeon to the Castle in November 1801.

Have you kept regular journals of the cases of the several persons under confinement here, who have been under your care?——At first I did keep a journal, in the manner in which you see, by the journal laid before you; but I have not of late years kept any, not seeing any good likely to arise from it. The fact is, that when I waited upon the Magistrates with my Report book, they expressed themselves perfectly satisfied with my conduct, and did not wish any Report made. I have always desired the turnkeys to come to me whenever there was any application from any of the prisoners for my attendance; and either myself or my pupil attend every day.

Are you any relation to Mr. Higgin?——No, I am not; by marriage or in any way.

Do you attend immediately on your being called for?——I always do; I don't know that I ever neglected once.

Does not typhus fever at present prevail in the hospital?——It does; I have three patients at present with the typhus; two I shall discharge in a day or two.

Do you consider this disorder to be occasioned by any neglect on the part of the gaoler?——I do not.

Does it prevail frequently?——Sometimes we have it for two or three months together, and sometimes we are without it for three or four months together.

When it has prevailed, have you ever considered it to have arisen from any want of attention in the gaoler, or from the insalubrity of the Castle itself?——I do not consider that it has arisen from any want of attention, and the Castle I consider in a healthy situation.

Have you paid attention to the state of the clothing of the prisoners on the criminal side?——I do, at all times, suggest to the gaoler whatever seems to me promotive of cleanliness and health; but Mr. Higgin has always anticipated my wishes on that subject.

Can you say, with confidence, that Mr. Higgin takes due care of the health and comfort of the persons under confinement?——As far as I am competent to judge, Mr. Higgin performs his duty most faithfully and conscientiously.

What is the greater number of typhus patients you have had under your care, at one time, in the prison?——Six; and none of them arose from any thing in the Castle.

You remember a person of the name of Spencer, who broke his leg in the prison?——I do; I was told it was in consequence of fighting; he was confined to his bed about seven weeks.

Did you see him yourself?——I was out of town, and my senior pupil, Mr. Higgin, went to him. The next morning Mr. Higgin mentioned the circumstance to me, and I went to the prison and found the leg lying in a very proper position, and I therefore did not alter it.

Do you think that the leg was treated by your pupil as you would have treated it yourself, had you been there?——I should have treated it exactly in the same way in which my pupil did, and I continued it in the same easy position in which I found it placed. The next day the patient informed me he was subject to gout, and in a day or two the gout attacked the foot of the leg which was broke, and at the expiration of ten or twelve days, when the inflammation and swelling had subsided, I applied such bandages as I thought necessary, and repeated them in about ten days after. I believe the patient was very intemperate while under my care, and also impatient and restless in consequence of the gout. I beg leave to observe, that the Magistrates of the county granted me permission to allow both the debtor and crown prisoners any quantity of wine or nutriment that I thought proper, and in no instance have they found fault with my conduct, however liberally I have used that permission; and wherever I have thought it necessary, I never spared the county purse, and the magistrates never objected to it; and with respect to the turnkeys, when acting under my direction, I never knew them in one instance negligent.

[Withdrew.

Mr. *John Gardner* called in again; and being duly sworn, is further examined as follows:

Mr. John Gardner.

Are you any relation to Mr. Higgin?——I am not.

Are you one of the Coroners for this county?——I am, acting for the hundred of Lonsdale.

I believe, some time ago, you took an inquisition on the body of Thomas Rawlinson?——I did, in the Castle of Lancaster, in a tower next to Mr. Higgin's house.

Was the body in the room when the inquisition was taken?——It was.

Was the body exhibited uncovered to the view of the jurors?——The body was close to a window, I took the sheet from the upper part of the body, and observed a livid mark about the neck; I told the jurors they were at liberty to inspect the body if they pleased, and after the witnesses were examined, I left the jury and other persons in the room with the body, while I retired to prepare the inquisition for their signatures.

Are

Mr. John Gardner.

Are you a surgeon?——I am not.

Was any surgeon called in?——No; and I wish to give the reason why there was not; I saw the livid mark about his neck, I knew that he was a lunatic, and understood that he had strangled himself, and the cause of his death appeared to me sufficiently apparent without calling for the opinion of a surgeon; besides, I had had no intimation that there was any suspicion of his having died in any other manner, than by his own hand.

Had any intimation been given you, that he had been violently beaten, or beaten at all?——No; I had no such intimation given me.

In that part of his person which you did see, did you observe any marks of violence or bruises?——None, except the mark upon his neck.

Did that mark upon his neck appear to be occasioned by any ligature about it?——It did; and from something that had been knotted, as the mark was not regular, but blacker in some parts than others.

Have you any copy or minutes of the evidence laid before the jury?——I have not; the jury heard the witnesses, and I did not take any minutes.

Were the jury on that occasion, as respectable as they usually are?——It appeared to me so.

Did you issue any warrant or precept to summon the jury?——I did not.

When were you apprized of the death?——On the morning of the 6th; and I took the inquisition on the day following.

[The inquisition was here read by the Commissioners, and returned to Mr. Gardner.]

[Withdrew.

JOHN HIGGIN called in; and being duly sworn, is examined as follows:

John Higgin.

ARE you the son of Mr. Higgin, the gaoler?——I am, and an attorney residing at Lancaster.

Did you ever, on any occasion, refuse to solicit a supersedeas for any of the prisoners in this gaol, on account of their having employed a man of the name of Parsons?——No, Sir, I did not; Parsons corresponds with a professional man at Bristol, but is not a professional man himself.

Has Mr. Higgin, your father, ever interposed his authority or advice with you, as to your superseding out persons who had employed Mr. Parsons?——No; and so far from having refused to supersede for poor debtors, I have, in many instances, done so gratuitously. [Here Mr. John Higgin produced a letter written by him to Messrs. Shuttleworth & Hopkins, solicitors at Preston, in proof of this: Mr. John Higgin also produced several other papers, shewing, to the satisfaction of the Commissioners, that he had, in many instances, done business for the poor debtors in the prison gratuitously, and expended several sums of money for them, without any probability of being repaid: and Mr. Gardner proved the letter written to Messrs. Shuttleworth & Hopkins, to be in the hand-writing of Mr. John Higgin.]

[Withdrew.

MARY WARDELL called in; and being duly sworn, is examined as follows:

Mary Wardell.

ARE you the wife of Jacob Wilson Wardell, a prisoner for debt in Lancaster Castle?——I am.

What do you know respecting the death of Thomas Rawlinson?——Cooper the turnkey, said to me, speaking of Rawlinson, "He is as much mad as I am, and more knave than fool; "damn him, I was obliged to knock him down three times running;" and in other particulars, Mrs. Wardell confirmed the statement given by Mr. Wardell. [Withdrew.

JOHN SPENCER called in; and being duly sworn, is examined as follows:

John Spencer.

WERE you ever a prisoner confined for debt in Lancaster Castle?——I was; but I have been at home since last March.

When was it that you had the misfortune to have your leg broken in the prison?——A quarrel took place between me and Unthank, we fought, and in the battle my leg was broken; some of the debtors carried me up stairs, a surgeon was sent for, and a son of Mr. Higgin, who is a pupil of Mr. Baxendale's, came, and Cooper the turnkey came up with him, and they attempted to set my leg.

Was your leg much inflamed at the time?——It was not.

Was your foot swelled?——It was swelled a little.

In what manner did they treat your leg?— Mr. Higgin's son laid hold of my leg, and Cooper by his direction pulled at my foot; Mr. Higgin then put a cotton bandage round my leg, and laid it straight upon the bed, and left me.

Were you satisfied with what had been done?——No; they left my leg unspelked, they said it was unnecessary, and left it.

Did Mr. Baxendale attend you?——Yes; on the Saturday or Sunday he came, he uncovered my leg the first time when he came, and looked at it, and said it is doing very well, considering; and at the time my heel was turned nearly half round to the place where my inside ancle ought to be. I was dissatisfied, for I was certain that my leg was not set, and I sent for the two Mr. Mallalieus, who had had each a leg broke before, and asked them what they thought of it; and old Mr. Mallalieu said, he would advise me to have further advice about it, as he was certain it was not set: I then sent my wife to Mr. Higgin, to request that I might have another surgeon; Mr. Higgin said, he has had Mr. Baxendale, has not he; what

John Spencer.

what does he want; and turned away from her. I sent my wife four or five times a day for five or six days successively, for Mr. Baxendale or young Mr. Higgin to come to me, and neither of them came; my wife then went to Mr. Howitt a surgeon in the town of Lancaster, and Mr. Howitt afterwards told me, that he came to the gate of the Castle and was refused admittance. On the Saturday I desired Cooper to look at my leg, and he said it was not set, and that he would bring Mr. Baxendale or Mr. Higgin; and on the Sunday evening young Mr. Higgin came, and brought another young man like himself, and they tried to set it, but did not, and again put the bandage round, but left my leg without spelking it. On Monday, Mr. Baxendale came and put the spelks on, and I told him when he was doing it, that my leg was not right; he said it was, and put the spelks on and left it; and when the spelks were taken off, I found that my leg was unset, and the bone just lapped over. I then sent for Mr. Howitt, and he came up to the room to me and examined the leg; and said he would not advise me to have it broken again, and put a plaster upon it; my heel has been bad ever since, owing to the spelks; and my leg still continues in an infirm state. While in the gaol I sent for my son on business, and he came to the gate, and they refused to admit him; and after my leg was broke, the county allowance was taken from me.

Are you subject to the gout?——Yes; and I had it in when my leg was broke.

Do you know Mr. Rideal?——Yes; he is a debtor in the Castle, and sent me a letter to Manchester to come here; saying, that you gentlemen were come, and that I had better lose no time. [Withdrew.

Mr. THOMAS HOWITT called in; and being duly sworn, is examined as follows:

ARE you, Sir, a medical practitioner in this town?——I am.

Mr. Thomas Howitt.

Do you know a man of the name of Spencer, who was a prisoner in this gaol for debt, and had the misfortune to break his leg?——I do know him, and I saw him in the gaol.

Did you ever apply for admittance to him in the prison, in consequence of a message from him?——I did, about seven in the evening of a Sunday; I knocked, and the wicket gate was opened; I said I wanted to see a person or a patient, I am not certain which; and I was refused, saying, they never admitted any body at that time of night.

In consequence of any other message from Spencer, did you apply again for admission?——I did, in the day-time, and was admitted and saw Spencer, and inspected his leg.

How did it appear to have been treated?——It appeared to me to have been treated improperly.

In what respect?——The bones were not placed in apposition, but one lapped over the other; and a callus was formed, and the bones united, which I think arose from unskilful conduct and management on the part of those who attended him. [Withdrew.

Joseph Dickinson called in again; and being duly sworn, is further examined as follows:

Joseph Dickinson.

Did you hear any blows given to any person in the lunatic ward?——I did hear blows, and I counted about forty strokes, and I heard some one once shout out murder; this was a day or two prior to the death of Thomas Rawlinson. [Withdrew.

Thomas Wright called in again; and being duly sworn, is further examined as follows:

Thomas Wright.

You were examined before respecting the death of Rawlinson; and you stated that Cooper struck him with a whip; how many strokes did he give him?——I do not know how many times; I did not take notice. [Withdrew.

JAMES WILLIS WORTHINGTON called in; and being duly sworn, is examined as follows:

J. W. Worthington.

ARE you a debtor confined in Lancaster Castle?——I am; and have been so since the 8th of March last.

Do you know Mr. Unthank?——I do.

Have you had any conversation with Unthank relating to Rawlinson's death?——Yes; a little while after Rawlinson's death, Unthank said to me, "We have laid a scheme for the old villain, we'll teach him for taking my bread and potatoes away, blast him."

To whom did Unthank allude when he said we?——I understood he meant Mr. Wardell and himself; because Unthank and myself at that time associated with Wardell; but I gave up associating with Mr. Wardell in consequence of it.

Who do you suppose Unthank alluded to when he said "the old villain?"——I knew he alluded to Mr. Higgin, from previous conversations I had had with Unthank.

Did any thing else pass?——Unthank shewed me a letter which he said came from Sir Francis Burdett; it was franked by him; and Unthank shewed me the signature, and then Unthank added, we will have the old rascal on the crown-side soon; Unthank said, that Cooper had murdered Rawlinson; I observed to him that it was a very strong expression; Unthank was checked by me and some of the other debtors, for his expressions.

What was your situation before you became a prisoner for debt?——I was a clerk in a counting house at Manchester; but in consequence of bursting a blood vessel, I was obliged

J. W. Worthington. to leave my situation, being advised, that if I sat at the desk it would be fatal to me. Scuffum said in my presence, and I can bring witnesses to prove it, that he would swear any thing to benefit himself. [Withdrew.

George Tengatt called in again; and being duly sworn, is further examined as follows:

George Tengatt. Did you petition the House of Commons?——I did, against the Magistrates, for taking the county allowance from me about the 10th of June last, which has not been since restored to me.

What do you allege to be the cause for their taking it from you?——On the 6th of June I went to give evidence before the Magistrates, and they asked me what James Hayes said to me; and I told them that he had told me that Mr. Higgin had got £. 5 sent down from the Thatched House Society to supersede for him and two others; and that Cooper told Hayes that Mr. Higgin would not supersede for him because he employed Parsons to rule for him; and I thought it was a shame that Mr. Higgin would not supersede for him, as he had done so for others; and that I had set a subscription on foot to get him out; and that I had given him a shilling myself; and I believe this to be the only cause for taking away my county allowance, which was done on the 10th of June. I afterwards, on the 29th of June, went before Mr. Bradshaw the magistrate, to swear the peace against Mr. Worthington a debtor, for spitting in my face; and I then asked Mr. Higgin why they had taken my allowance from me, as I had made no complaint, but only swore to what James Hayes had told me; and Mr. Higgin said, the Magistrates considered it as a combination amongst us; I told Mr. Higgin that I was no more in a combination than he was.

Have you ever since made any application to have the county allowance restored to you?——I have not; except to the House of Commons. [Withdrew.

John Hankin called in again; and being duly sworn, is further examined as follows:

John Hankin. Did you petition the House of Commons?——I did, against the Magistrates, for taking away my county allowance on account of my giving evidence respecting the human excrement being left in the debtors yard.

Why did you suppose that was the cause?——I have no other reason but that; my allowance was taken away directly after I gave evidence.

When was the excrement left in the yard?——It was about two months ago; the necessary was emptied into the debtors yard, and it remained there three whole days, and was very annoying to the debtors.

How far from Mr. Higgin's house was the excrement laid?——In the debtors yard, just before Mr. Higgin's house.

Did the excrement ever before remain in the yard so long?——No; it has always been turned out of the vault on one day, and taken away by the carts on the day following. [Withdrew.

Jacob Wilson Wardell called in again; and being duly sworn, is further examined as follows:

J. W. Wardell. Will you now state any complaints you may have to make respecting the gaol?——In the first place, the dung which was taken out of the privy, remained in the yard from Monday to Thursday, being four days before it was taken away in the carts; about thirty cart loads in quantity; and I certainly considered myself very much annoyed by it, and kept my room on that account, more than I otherwise should have done.

Did you make any representation to Mr. Higgin, or his son, respecting the inconvenience produced by the manure being left?——I did not, as Mr. Higgin had declared himself inaccessible to the complaints of the debtors.

Did you, in point of fact, find him inaccessible to any complaints you had to make?——I considered Mr. Higgin, from his own declaration, to be inaccessible; and therefore I did not personally apply to him.

Have you any other complaint to make?——I have, as to the restriction made in the quantity of coals admitted to be brought into the Castle. The rule, of about a twelvemonth's standing, obliges us to have ten hundred weight in at a time, which is too much for poor individuals to pay for; and I sent Mr. M'William to apply to Mr. Higgin to admit 500 lbs. weight, within three weeks last past, and it was refused.

When you made this application, did you specify in what manner you wished to have the coals introduced?——We applied to have them introduced in any manner, and were refused. I have further to state, that on the 23d of June, while I was walking in the debtors yard, about seven in the evening, with Mr. Collier, Mr. Thomas Higgin came up, and addressing himself to me, said, You have been horse-whipped and horse-ponded at York; and then he went upon the terrace, and repeated it very loudly; and I can prove this, by one Woodruff and Mr. M'William, both debtors in the Castle; and also Mr. Unthank. The next charge I have to bring against Mr. Higgin is, for allowing about 110 or 120 oak branches, to be brought in by the turnkeys, and put into the round tower on the crown side, during the time the charges were pending before the Magistrates, which I had stated in my letter to the high Sheriff; and which branches, on the Magistrates having made their decision, were distributed

distributed to, and worn by many of the debtors in their hats. Mr. Rideal and Mr. M^cWilliam will prove those facts. As the third charge I make against Mr. Higgin, I mention that I have written several letters to Mr. Higgin, respecting the insults my wife has received from the turnkeys, which letters Mr. Higgin has not attended to. The general conduct of the turnkeys, as to their insults to me and Mr. Rideal, can be proved by the Mr. Mallalieus and Mr. Rideal. There is another charge; I wrote to Mr. Higgin about three weeks ago, respecting disturbances in the room No. 4. by breaking open the door, and doing a deal of mischief in the lobby; and hallooing so loud, that they might have been heard all over Lancaster; Mr. Wattlesworth also wrote upon the same subject; and Mr. Higgin paid no attention whatever; Mr. Wattlesworth and the two Mr. Mallalieus will prove this. A caricature drawing, intended to apply to me and my wife, was stuck up in the debtors yard, which I applied to Mr. Higgin by letter to have removed, and Mr. Higgin paid no attention to it; some of my friends took it down afterwards, and I now produce it; Miss Ogden and the two Mr. Mallieus will prove this charge.——[Withdrew. At 6, adjourned to ½ past 7. *J. W. Warde?.*

Monday Evening, ½ past 7.

All the COMMISSIONERS present.

Mr. RICHARD JOHNSON called in; and being duly sworn, is examined as follows:

Are you the treasurer of the county of Lancaster?——I am.

Can you produce to us, any accounts of the annual expense of the gaol of the county of Lancaster?——I now produce an account of the public expenditure of the county for the last year, including the expenses of the gaol. *Mr. Richard Johnson.*

Are you acquainted with the conduct and management of the gaol?——I certainly am, having been county treasurer for 18 years; and I buy all the provisions that are provided for the prisoners, potatoes, oatmeal, and bread.

Do you purchase these articles yourself?——I do purchase them; I generally make a contract for a supply of them; and by that means I get them cheaper, and insure a constant supply.

Is proper care and circumspection used in providing food of a good quality?——I buy the best the markets can afford.

Do you buy the butchers meat?——It is bought under my inspection; there is only half a pound for each prisoner allowed weekly; it is of the best quality, and the meat is weighed out after it is boiled; and they have half a pound each, without bone, and one quart of broth.

Have you frequent opportunities of seeing Mr. Higgin, and observing his conduct in the management of the gaol?——I have; and I do not believe that there is a man in the kingdom that can do, or does it better than he does.

Are means taken for securing to the gaol, the benefit of the best drugs?——Proper means are taken. The Magistrates order me; and I buy them at Apothecaries Hall, at the wholesale price.

Is what you do as county treasurer, done under the authority and control of the Magistrates?——It is.

Are the masons, joiners, and other workmen employed at the Castle, under the control of the gaoler?——He has nothing to do with them; they are employed by me.

You have produced a paper of corn and oatmeal sold in Lancaster market, for the week ending the 8th of August 1812; have you obtained this from the corn inspector's office?——I have; he delivers it to me every Monday morning.

Look at that paper, and say, is the signature Thomas Darwen, in the hand-writing of the inspector?——It is in the hand-writing of Thomas Darwen the inspector.

Is the paper you have produced, dated the 8th day of August 1812, and importing to be an account of the statute weight of bread, founded upon the weekly returns of corn and oatmeal sold in Lancaster, which you have produced?——It certainly is.

Is this paper of the statute weight of bread, hung up in the gaol?——It is hung up in the gateway, near the weights and scales; so that every person confined in the gaol, may see it for asking for it.

How are the corn inspectors paid?——By government.

How often are your accounts audited?——Once a year by the Magistrates.

Can you produce any order of the Magistrates, for giving to any prisoner for debt, in the gaol of Lancaster, the usual county allowance?——I can; and do produce such order.

Is that an authority to you to grant it?——It is.

Do you know the signature of the Magistrates signing that order?——I do; and know their hand-writing.

Is such order necessary to entitle the debtor to the county allowance?——It is.

What is the nature of the paper now shewn to you?——It is a representation from Mr. Higgin, that certain debtors, who receive the county allowance, have been guilty of disorderly conduct.

Is the paper now produced to you, an order for withdrawing the county allowance?——It is; and I know the signatures of the Magistrates signing the same.

Explain the object of this paper?——It is a petition from prisoners from whom the county allowance had been withdrawn; and an order for restoring the same.

Do

Richard Johnson.

Do you know of any instance of the gaoler ordering the county allowance to be stopped of his own authority?——I do not; and if he did so, I should not stop it, for he has no authority to do it.

Do you happen to know whether any asylum is now building, to supercede the necessity of confining criminal lunatics in the county gaol?——There is now an asylum building for that purpose.

[Withdrew.

The Rev^d JOSEPH ROWLEY called in; and being duly sworn, is examined as follows:

Rev. J. Rowley.

ARE you chaplain to the prison?——I am.

Have you any journal that you keep as such?——It has not been my custom to keep a journal.

Mention the official duties you perform?——On Sunday I read the service of the church, and preach a sermon in the morning. In the evening I read the service; and if no sermon has been preached in the morning, I preach one in the evening, finding it an advantage to give the service in the evening sometimes, as the debtors I found did not always attend in the morning. I also read prayers on Wednesday and Friday mornings; and the great Festivals and Fasts are considered as Sundays.

Is there a regular attendance of the prisoners at the chapel?——There is, of the prisoners on the crown side. The debtors are not compellable to attend.

Is the gaoler regular in his attendance at divine service?——Mr. Higgin is generally there; but if he is absent on account of necessary business, his son, who is his assistant, usually attends for him.

The debtors not being compellable to attend, are they usually present?——I cannot say that they attend so regularly as I could wish. The number in the prison at present is about 160; and I seldom see more than 40 except on particular occasions.

Is the demeanor of the prisoners in general proper, during the performance of divine service?——It is very much so.

It is part of your duty to visit the sick, is it not?——It is; I visit the prisoners on the crown side, whenever I hear that any one is ill; and whenever the debtors send for me, I visit them; sometimes on the crown side there is no one ill for two or three months together.

Do you not give particular attention to condemned prisoners?——I do; and attend twice a day to give them religious exhortation suitable to their unfortunate situation.

Do you give religious exhortation or advice to other prisoners?——Yes, I do, whenever I receive a note or request from them, or when I think the advice would be well received.

Have you possessed opportunities of becoming acquainted with the state and management of this prison?——I have.

Have you ever seen any thing that you consider objectionable?——I never have. Mr. Higgin has always conducted himself with the greatest attention to every recommendation which I have thought proper to make, and has appeared to me a man of great humanity, many instances of which I could mention; indeed I consider his feelings of humanity too great for the situation he holds; and I have seen him at public executions suffer great distress of mind; I have known him many more years than I have been chaplain here, and he is generally considered as a man of a very respectable character.

Have you ever noticed his manner of addressing prisoners?——He is a man of a religious turn of mind, and talks to them seriously and with mildness.

Have you noticed the conduct of the turnkeys?——I have, and never saw any thing objectionable in their conduct.

Is it any part of your duty to audit the accounts of the prison?——It is; the account of the prisoners earnings, of which they receive one-third, and the rest goes to the county.

What is your salary as Chaplain?——I have £. 50. a year, as fixed by Act of Parliament.

What is your additional salary for auditing the accounts?——£. 30. a year.

Have you noticed the demeanor of the debtors generally?——I have frequently noticed them, and think the gaoler's authority is insufficient to restrain them from irregular practices; they can have as much liquors as they please, or can afford to purchase, with the exception of spirituous liquors; which frequently occasions great disorder and drunkenness amongst them.

Do you occasionally circulate amongst the prisoners, books of religious instruction?——I do; I am allowed by the Magistrates of the county, to purchase, for the benefit of the prisoners, whatever books or tracts I may think suitable for the prisoners perusal.

[Withdrew.

Mr. Higgin called in again; and being duly sworn, is further examined as follows:

Mr. Higgin.

When Rawlinson was found dead in his cell, were you immediately sent for to see the body?——I was, by Thomas Birch.

Did you go?——I went soon after Thomas Birch informed me.

State the condition in which you found the body?——On entering the cell, I perceived Thomas Rawlinson lying on his back, his face discoloured and much swollen; I said, what is that thing about his neck; some of them felt at it; I said, take it off; and I think Thomas Lee took it off.

What was your reason for ordering it to be pulled off?——I thought possibly he might not be quite dead; but I found when they took the thing off his neck, he had been dead some

Mr. Higgin.

some time; then we came away and left him there; and soon after, on the same morning, I ordered Birch to take off his irons, and lay him out in the large room in the new tower, and I never saw him after that. I wrote to the Coroner soon after the event, and informed him of it.

Did you see the Coroner before or during the inquest?—I did not.

Did you give any directions to your turnkeys respecting the jury?——I did not; they were summoned in the usual way. It has been the practice, though I can't say I quite approve of it, to summon the jury from the persons employed about the Castle.

You were observing, on your last examination, that Mr. Justice Chambre did not approve of the proposed Rules and Orders, when shewn to him; do you know why he did not approve of them?——I was not informed of the reasons of his not approving of them.

How do you provide for the safety of the prison from fire?——Most of the floors are of stone; they have no light on the crown side, except in the two wards in the great tower; the debtors I cannot controul in that respect. In the two rooms in the tower, there are fire-places, but in no other sleeping rooms of the convicts; and my order is, to put out the lights in those rooms in the tower, and go to bed before 10.

They complain in many of the debtors wards, of smoking chimnies; are no endeavours used to prevent that annoyance?——Every endeavour has been used to prevent it by raising the chimnies; some of them are incurable, from the structure of the building.

Is the list of charities and donations hung up?——They are, in my office; but I don't know whether they are any where else.

We have observed in some of the rooms broken window panes; is care taken to have them mended?——At the commencement of the winter, I am careful to get them mended; but in summer, I am not very anxious about them.

Is there any buying or selling going on between the turnkeys and prisoners?——Some little time ago there was a charge of that sort, but it was never fully established, neither to my satisfaction nor to that of the Magistrates; I order my turnkeys to take no money for parcels whatever.

How comes there to be but one female ward?——There is only one assigned to them.

Do you apprehend no inconvenience arises from this?——I think there does; I wish it were remedied; I wish the felons and those guilty of misdemeanors were separated, and both from those committed for trial.

Have you, or any of your family, any advantage whatever from the sale of bread in the prison?——None whatever; something of that sort may have been said, but the truth is, they have the whole shilling, which is the county allowance, in bread, together with their ten pounds of potatoes.

Do you receive, or have you received, any presents from the prisoners?——Never; Mr. Wardell once sent me a pheasant, which I declined receiving.

Is it the custom of the inspecting Magistrates to summon before them the gaoler, the surgeon, and the chaplain, at every visit, to enquire respectively of them, into the general order of the prison, into the health of the prisoners, and particularly of the chaplain, into their moral conduct?——It is not: sometimes they see one, sometimes another, but never all together: the fact is, if I may be allowed to say so, they repose such confidence in me, as to conceive it unnecessary to make much enquiry.

Is it their custom to inspect the different parts of the prison, that they may see whether it be dry and healthy, and perfectly clean, and whether the bedding be wholesome and proper?——They leave this very much to me; if occasion requires, I make a report to the Magistrates.

Is it their custom to go into the hospital?——No; they wait for the report either of Mr. Baxendale or myself; sometimes we have not, for months, a single prisoner in the hospital.

Do the inspecting Magistrates ever come without giving notice?——They do not often come, but sometimes one or more come without notice.

Is it always practicable to the prisoners to prefer their complaints to the Magistrates?——Always.

Can the debtors at all times send letters to their friends, without the inspection or hindrance of the officers?——In various ways; some of the debtors wives go in and out many times a day; their friends also can take them if they don't like to trust the common letter-box. They generally have a debtor's wife to carry out and bring them in. The criminals letters I open, for obvious reasons.

Have prisoners, committed for trial or further examination, any greater indulgence than the other prisoners, respecting communication with their friends?——I allow them a little.

Do you occasionally employ any of your turnkeys in working in your garden?——Very little; but now and then by way of indulgence to them, and only when the state of the prison admits it; in the present state of the prison I would not permit it on any account.

Do you know any thing of oak boughs being distributed among the debtor prisoners?——Not by my direction, nor with my concurrence or approbation; I saw something green in the hats of the debtors.

Did your son do this?——Not to my knowledge; I should hope he has more sense than to do so.

Are the prisoners stripped and cleaned when they first come in?——If they are at all dirty, I order this to be done; I have them shaved and washed.

Do you see that the task-masters, as well as turnkeys, conduct themselves with attention and sobriety, and that they obey your orders?——I do.

Mr. Higgin.

Do you order the turnkeys to see that the criminal prisoners daily wash their hands and faces?——I do; and I take care that they have towels and soap; my rule is, to stand at the chapel door when they come out, and see that they have clean faces and hands, and clean shirts.

Do you provide paillasses or linen bags for straw and clean straw?——I take care to do this, and I order fresh bedding when necessary.

Do you see that foul straw, rags and filth of every kind, are burnt or otherwise destroyed?——This also I do.

Do you examine the contents of all parcels, whether of food or clothes and other things, which are brought into the prison, before they are delivered to the prisoner?——I do invariably examine all parcels coming to criminal prisoners.

Does your son Thomas, to your knowledge, ever use taunting and insulting language to Mr. Wardell, or any of the prisoners?——I have requested my son to have the greatest forbearance towards Mr. Wardell, who has always treated him with great insult as he walked across the yard; Wardell told him to pull off his hat; provoked at these things, Thomas did, I believe, put him in mind of being disgraced at York or Doncaster, as he had heard in the prison.

When do you ring your bells?——The debtors bell is rung at six in the morning and at nine in the evening: In winter, as soon as it is light, and at nine in the evening. There is also a bell for work for the criminal side; it is rung at eight for breakfast, at twelve for dinner, at nine in the morning for work, and at one in the afternoon for work.

What are the duties of the task-master?——To see that the work is properly done; he also keeps the account of their earnings.

Has the task-master a power to punish?——I allow him none; he is to complain to me.

What provision do you make as to the general cleanliness in the yard?——I am very particular, and have the privies cleaned out whenever I see occasion; and if a horse dungs in the yard when coals or any thing else is brought in, I have it swept away immediately.

[Mr. Higgin being questioned as to a letter, sent to him by Mr. Wardell, being returned without answer, and which letter did not appear to the Commissioners to contain any thing improper, though it did not require an answer, Mr. Higgin produced several letters received by him from Mr. Wardell, and pointed out several passages containing gross language addressed to him, wherein Mr. Higgin was called a monster and his son a liar. But it appearing that these letters were of a date subsequent to that returned to Mr. Wardell by Mr. Higgin, he then produced other letters of a previous date, containing irritating language addressed to him; and he said that in order to put an end to all such correspondence he returned the above-mentioned letter unanswered. An anonymous letter having been read to Mr. Higgin, charging him with having cruelly beaten a man who was under sentence of death for robbing the mail, and having made his escape had been retaken, in consequence of which beating, his body, after his execution, was found to be covered with wounds; Mr. Higgin said that a long while ago a man was executed for robbing a mail, who had made his escape; but positively denied that he beat him, or in any respect used him ill, and that he well remembers that the poor man left the world in perfect good terms with him. Mr. Higgin being asked whether he was in the habit of visiting the hospital? in reply says he always is in the habit of visiting the hospital, except when the typhus fever prevails. [Withdrew.—Adjourned till Tuesday morning 7 o'clock.

Tuesday Morning, 7 o'clock, 18 August 1812.

THOMAS HIGGIN called in again; and being duly sworn, is further examined as follows:

Mr. Thomas Higgin.

HAVE you ever had any altercation with Mr. Wardell?—I have had differences with Mr. Wardell, and I did say I never had been horse-whipped at York or dragged through a horse-pond at Doncaster.

Was that language produced on your part by any thing provoking on his part?—It was; Mr. Wardell was in the constant habit of insulting me whenever I went through the debtors yard to the crown side of the prison.

Have you ever been concerned in caricaturing Mr. Wardell?——Never.

Did any thing pass between you and him yesterday on his returning from this Court?——There did; he began to insult me with reproaching language; he said, "Come here, porter, let me out;" I said I will, Sir; he continued, "things are altered now, since the Commissioners came; you are now my porter." I said, Mr. Wardell, while you are in the Castle, I shall say nothing more to you, than that if ever I meet you after you are out, I shall pull your nose.

[Here the Witness was admonished by the Commissioners severely.]

Did you authorize taking oaken boughs into the Castle?——I did not, I had nothing to do with it, and knew nothing of it until I saw the green leaves in the debtors hats.

There is a complaint that in the female debtors ward persons of loose character are put together with the rest?——It may so happen; and we should find it very difficult to ascertain in the first instance their character, and there is only one ward for female debtors. A complaint was made of a person of loose character being there, and a separate bed was provided for her.

Have

Mr. Thomas Higgin.

Have you any interest, direct or indirect, in the sale of any food or liquor to the prisoners?——Not the least.

[The Witness here put in a letter dated 1st June 1812, addressed to his father, and signed by several debtors;—a paper signed by several debtors, requesting a general meeting of the debtors confined in Lancaster Castle;—and another paper, containing Resolutions purporting to be made at such meeting, and signed by 114 debtors.]

Had you or your father any concern in calling the meeting of debtors, at which these Resolutions were signed?——I knew nothing of it until it was over and the Resolutions put into my hands, and my father was at Preston at the time.

Did you by any gifts or promises, or in any way directly or indirectly, encourage that meeting among the debtors?——No, I did not.

Your father is charged, in an anonymous letter without date, with cruelty to a prisoner under sentence of death, who had escaped and was retaken and brought back to the Castle?——I know nothing of any such thing, and no escape has taken place from the criminal side of the prison for ten years past.

Do you recollect ever seeing your father beat any of the prisoners confined in the Castle?—I never saw him strike a prisoner in my life. [Withdrew.

Mr. Baxendale called in again; and being duly sworn, is further examined as follows:

Mr. Baxendale.

Do you recollect any thing of any person infected with the venereal disease, having been, or being in the female debtors ward?——I do not know any thing of such a circumstance having taken place, and if there had, I should have immediately removed the person into the hospital. [Withdrew.

Mr. *Robert Higgin*, a former Witness, and pupil to the last Witness, having been called again, and sworn, and the same question put to him, he answered, That he did not know of any such circumstance ever having taken place.

ROBERT M^cWILLIAM called in; and being duly sworn, is examined as follows:

Robert M^cWilliam.

ARE you a debtor in this gaol?——I am, in the same room with Mr. Wardell.

Have you ever made application at the lodge to have a less quantity than ten hundred weight of coals brought in at once?——I have; and the answer was, that the rule was, not to admit less than ten hundred weight at a time.

Was your application made to have the coals in carts, or how?——It was not said in any way, but it was understood in a cart.

Were you ever refused to have a less quantity brought in, than ten hundred weight, in baskets or sacks?——I never made any such application.

Do you ever recollect, that Thomas Higgin used any insulting language to Mr. Wardell?——I do remember Mr. Higgin said to Mr. Wardell, I have never been horse-whipped or horse-ponded at York, or words to that effect.

How have Mr. Higgin and his son conducted themselves towards you?——They have both conducted themselves with great civility and kindness towards me; when I came in, I had no bed, and Mr. Higgin furnished me with one of his own.

What was your situation before you became a prisoner in this gaol?——A cotton manufacturer at Manchester.

Do you recollect any oak branches being brought into the prison?——I saw some of the debtors have them, and delivering them to the rest, and they wore them in their hats; but I know nothing of the manner of their being brought in, or by whose direction.

[Withdrew.

JOHN WOODRUFF called in; and being duly sworn, is examined as follows:

John Woodruff.

ARE you a debtor confined in Lancaster Castle?——I am.

Do you recollect, at any time, Mr. Thomas Higgin using insulting language to Mr. Wardell?——I did hear Mr. Thomas Higgin say something about Mr. Wardell having been whipped off a race-course, and dragged through a horse-pond. [Withdrew.

WILLIAM RIDEAL called in; and being duly sworn, is examined as follows:

William Rideal.

ARE you a debtor confined in this castle?——I am.

Were you ever present when any of the turnkeys used insulting language, or misconducted themselves towards Mr. or Mrs. Wardell?——I do not remember that I ever was.

Do you remember some oaken boughs being brought into the prison?——I do remember seeing them worn by a great many of the prisoners.

Do you know, of your own knowledge, whether there was any encouragement given by Mr. Higgin, or his son, to the wearing of them by the debtors?——I saw the boy, Thomas Wright, bring out a sack full of oaken branches, and put them into the debtors hats, as they came to him, one by one; this was the 10th of June last, an hour previous to our knowledge of the Magistrates having adjourned.

Do you recollect any of the turnkeys being engaged in this transaction?—I do not, of my own knowledge.

Did you hear any insulting language from Mr. Thomas Higgin to Mr. Wardell?—— I was not present.

Have

William Rideal.

Have you any complaint to make against Mr. Higgin, or his turnkeys?——I have; one of the turnkeys sent a person into our room, when we had our complement, as much as others; and we refused to admit him, until the rooms were equally proportioned as to numbers; and I wrote to that effect to Mr. Higgin; and he sent for me, in consequence of my writing; and I went to Mr. Higgin, and he treated me with great incivility, and threatened to break my head; and three of them turned me out of the lodge, and sent me back to my room, without redress. I then wrote to the Magistrates, and complained of this, but I had no answer; and soon after, Thomas Fell got up on the pump trough, in the yard, and proclaimed, that the Magistrates had deprived me, amongst others of the debtors, of our county allowance; and, in fact, we were deprived of it; and, I presume, it was in consequence of my writing spiritedly to Mr. Higgin: I applied afterwards to have it restored, but am still without it. After that, I wrote to the High Sheriff two or three times, but have not been redressed; and I have been insulted and abused in every way by my brother debtors, so as to be rendered quite uncomfortable; and Mr. Higgin and his son have seen it, and have never interfered to prevent it. I have also seen work done in the prison on Sundays, and have mentioned that to Mr. Higgin, who has not prevented it.

[Withdrew.

James Mallalieu called in again; and being duly sworn, is further examined as follows:

James Mallalieu.

Do you know of any insults that Mrs. Wardell meets with from the turnkeys in going out of the prison at nights, or at any other time?——I have generally gone down to the lodge with her for these three months past, and I have heard slight words and hissing from them, more or less, almost every night; and I have heard Mr. Wardell very much abused by the other debtors, to the great disturbance of the prison. Mr. Higgin has not prevented it; such abuse has frequently taken place from the debtors windows, after their rooms have been locked up for the night; and I have seen, from my room in the day time, Mr. Thomas Higgin stand by, and see the most disorderly conduct take place amongst the debtors, and never interfere to prevent it; I have also complained to Mr. Higgin himself of disturbances and misconduct in the prison, but he did not attend to it. I was examined before the Magistrates, touching dung remaining in the yard; and the evidence I gave there, I will stand by now; and, for giving such evidence, my county allowance was taken away, and my name placarded in the exchange at Manchester, as well as in the prison, which I consider to have very much injured my character, and induced my creditors not to sign my certificate.

You say you were deprived of the county allowance; have you made any application to the Magistrates to have it restored?——We could not cringe to the Magistrates, after the resolutions they had made as to our conduct.

[Withdrew.

William Mallalieu called in again; and being duly sworn, is further examined as follows:

William Mallalieu.

Do you know of any abuse or insulting language from the turnkeys towards Mr. and Mrs. Wardell?——I have heard Livesey hiss as Mrs. Wardell has passed, and some of them say, There goes bribery and corruption.

Have you your county allowance?——No; it was taken away, I think, on the Tuesday after the 10th of June.

Have you applied to have it restored?——I have not.

Do you ever recollect hearing Mr. Thomas Higgin use any abusive or improper language to Mr. Wardell?——I have heard something said at a distance, but cannot tell the words: I never heard Mr. Wardell use any language of an insulting nature to Mr. Thomas Higgin.

May the evidence you gave before the Magistrates be taken now, as if you repeated it before us?——It may; I adhere to it still.

Have you any thing to say respecting the bread?——It is complained of in the yard, that for a shillingsworth of bread, the amount of the debtors weekly county allowance, they only get nine-pennyworth; they have two loaves weekly for the shilling, and loaves exactly the same may be bought in the town for fourpence halfpenny each.

[Withdrew.

THOMAS WATTLESWORTH called in; and being duly sworn, is examined as follows:

T. Wattlesworth.

ARE you a debtor in this Castle?——I am; about the month of May last I had a very troublesome person in the room with me, and I complained of his conduct to Mr. Higgin, and he said he was so teased and troubled with complaints, that he really could not interfere with disputes amongst ourselves; the same person I had complained of, which was Captain Morrell, soon afterwards, on a Sunday evening while I was reading my bible, threw a glass of rum and water into my face; I complained of this to Mr. Higgin, and told him, that I was afraid of my life, and that I would not go into the room where Morrell was; Mr. Higgin made light of my fear of life, and said I must go into the room; I told him I would not; then, says he, you must go into a cell, I have no other place for you; I said I was entirely at his disposal, and I was shewn to a cell, and there I remained until the morning, and I wrote to the Magistrates, and applied to them for redress, but without effect. I then gave Mr. Bradshaw notice in writing, which brought him up to the Castle, and Mr. Bradshaw bound Morrell over to keep the peace.

Have you the county allowance?——I have.

What does it consist of?——Ten pounds weight of potatoes weekly, and two loaves of bread, one delivered on Tuesday, and the other on Friday.

[Withdrew.

FRANCES OGDEN called in; and being duly sworn, is examined as follows:

ARE you a prisoner for debt in this Castle?——I am. *Frances Ogden.*

Did you ever see any caricature of Mr. Wardell exhibited in any part of the prison?——I did see a caricature, which appeared to be a representation of Mr. and Mrs. Wardell.

Do you know who put it up?——I do not; but I saw it in the hands of some of the debtors who are of the opposite party; the prison being split into parties.

Did you ever make any complaint of noises and disturbances in the prison?——I personally applied to young Doctor Higgin, as we call him, who is a pupil to Mr. Baxendale, to have the noise and disturbance prevented, especially as we had one person amongst us very ill, and he said he was afraid it was impossible to prevent the noise, that his father had no power to do it.

Since you have been confined in prison, have you any thing to complain of?——Certainly since my confinement there has been a person in the ward with me, whom I judged from what I observed, to be a person of an improper description; and I applied to Livesey to know who she was; and he said, he could not say any thing for her, and appeared to admit that she was a person of the description I suspected. I sent four gentlemen who are debtors, and a debtor's wife, successively during the course of an hour and an half to Mr. Higgin, to represent the circumstance to him; and Mr. Bunbear said, that he had seen one of the Mr. Higgins, I think Mr. Thomas Higgin, who said he had no separate apartment, that the gentlemen might each of them take her themselves, or something to that effect. On finding the woman was not to be removed, I insisted that I would not sleep in the room with her; and at the moment I got my bed into the yard to sleep there, Mr. Thomas Higgin came, I suppose in consequence of the turnkey telling him that the bed was brought out into the yard, and I wished to represent to him the unpleasant situation I was in, but he would not hear me out, and said, will you go into your room, and my sister pulled me in, and he locked the door upon me in a most inhuman manner. They brought a little bed for the woman; she was attended by young Mr. Higgin on account of her illness, but I do not know that her illness arose from any vicious courses. There is another circumstance; Mrs. Unthank and Mrs. Wardell, two of the debtors' wives, wished to come in to see me, and they were refused access to me. And on a Sunday some few weeks ago, when I came out of the ward to go to chapel, instead of going there, I took the liberty of going to spend half an hour with Mrs. Unthank, without being aware that I was transgressing the rules, when I was immediately forced back again, although other female debtors have been allowed to do the same. About three weeks ago, having been asked to tea on the other side of the yard, Miss Horton had leave given her to go, but we were refused. [Withdrew.

Mr. Thomas Higgin called in again; and is further examined as follows:

Was any complaint ever made to you on the part of Miss Ogden, through any person or persons?——There was; she complained she would not remain in the room with a young woman whom she supposed to be of loose manners. *Mr. T. Higgin.*

What was your answer?——There was no other room for her, did she wish her to be turned in among the men?

Did you say that the gentlemen might each take her themselves (meaning the loose woman) or something to that effect?——I never did; but one of the gentlemen debtors who was near, said, they should be glad to take her in themselves, or something of that kind.

When Miss Ogden refused to go into her room, and you were sent for on that account, what passed?——I informed her that there was no other room; she asked if she was obliged to go, I said yes; her sister took her by the arm, and went in with her. I never touched her, or used any strong language whatever; I refer to John Clark.

[*John Clark* is here called; and confirms the above statement.]

Why did you refuse Mrs. Wardell and Mrs. Unthank access to Miss Ogden?——I know nothing of that circumstance.

[*Mr. Higgin* senior, called in and sworn; says it was on account of refractory behaviour.]

Miss Ogden also complains, that on a Sunday, some few weeks ago, when she came out of the ward to go to chapel, instead of going there, she took the liberty of going to spend half an hour with Mrs. Unthank, without being aware that she was transgressing the rules, when she was immediately forced back again, although other female debtors had been allowed to do the same; do you know any thing of that transaction?——Yes I do; she sent for the key that she might go to chapel, but instead of going there, she immediately went up into the male debtors rooms; I instantly informed my father, and he directed that she should either go to chapel or return to her ward; as it was against the rules for female debtors to go into the male debtors rooms: she immediately returned to the ward.

Are these rules universally enforced?——They are, when a person transgresses them to avoid chapel. [Withdrew.

THOMAS OGLE called in; and being duly sworn, is examined as follows:

YOU are a debtor in confinement in this gaol?——I am. *Thomas Ogle.*

How long have you been in this situation?——Almost five years.

What was your situation before your confinement?——I was a merchant at Preston, and had large concerns; I have continued here so long in consequence of the large amount of my debt.

Thomas Ogle.

During any part of your long confinement, has Mr. Higgin or his son, given you any cause of complaint?——None whatever.

From the opportunities you have had, of observing the general conduct of Mr. Higgin, towards those under confinement here, has it been considerate and humane?——It has been perfectly so.

Do you bear this testimony freely and voluntarily?——Most cheerfully. [Withdrew.

GEORGE NAPPER called in; and being duly sworn, is examined as follows:

George Napper.

YOU are a debtor in confinement here?——I am; and have been for twelve months.

What was your situation before confinement?——I am on the half pay of the 54th foot as a lieutenant; I have belonged to several regiments. After the rebellion in Ireland I married, and went on half pay; and by misfortune am brought here.

During the period of your confinement, has Mr. Higgin or his son given you any cause of complaint?——None.

From the opportunities you have had of observing the conduct of Mr. Higgin towards the prisoners in general, has it been considerate and humane?——Most considerate, and most humane. I have been privy to most of the disturbances here; Mr. Higgin's conduct on those occasions, which I regret have been too many, has been most meritorious, endeavouring to put them down, and to restore tranquillity; I know there have been charges made against Mr. Higgin, I think them unfounded and malicious. [Withdrew.

RICHARD FOSTER called in; and being duly sworn, is examined as follows:

Richard Foster.

YOU are a debtor in confinement?——I am.

How long?——Since April last.

What was your profession?——A landing waiter at the customs.

From the opportunities you have had of observing the conduct of Mr. Higgin towards the prisoners, has it been considerate and humane?——Most assuredly so, even to the extreme.

Have there been disturbances among the debtors?——Now and then: Mr. Higgin has done on those occasions all in the power of man, to put a stop to them, and to restore tranquillity.

You have heard of some charges made against Mr. Higgin; what is your opinion of them?——I think them totally unfounded and malicious. Since I have been here, I have had occasion frequently to resort to Mr. Higgin for his advice; I have at all proper times found him ready to advise and assist me to the best of his power; and I look upon him more in the character of parent and friend, than as the keeper of a prison; I have been occasionally in ill health, and at those times I have received every kindness and assistance from him, as well as from the Surgeon, and his pupil, young Mr. Robert Higgin.

[Withdrew.

RICHARD DEARMAN called in; and being duly sworn, is examined as follows:

Richard Dearman.

YOU are a debtor confined in this prison?——I have been so about eleven months.

What has been your experience of the conduct of Mr. Higgin during your confinement?——I have found him in every respect a very worthy character; a very excellent man in his office. I cannot tax him in any respect with neglect or want of humanity. I think him a most fatherly man towards those under his custody.

You have heard him often conversing with the prisoners; what are his manners towards them, in point of civility and courtesey?——Very kind. I never heard him swear an oath in my life; I think him an honourable man. [Withdrew.

THOMAS HOUGHTON called in; and being duly sworn, is examined as follows:

Thomas Houghton.

DO you know Samuel Scuffum?——I do; he is a prisoner in the Castle.

Do you know any thing of his intending to make his escape?——I do; a night or two before he went down to the gates, he swore he would be damned to hell if he would not make his escape if he could. [Withdrew.

JOHN HULME called in; and being duly sworn, is examined as follows:

John Hulme.

ARE you a debtor confined in Lancaster Castle?——I am.

Do you know Samuel Scuffum, a debtor confined there?——I do.

Do you know any thing of his intending to make his escape?——He said to me and Houghton a night or two before he went down to the gates, and the turnkey sent him back, "he would be damned if he would not make his escape if it was possible." [Withdrew.

APPENDIX.

Appendix, No. 1.

RULES, Orders and Regulations, to be observed by the Crown Prisoners, and enforced by the Keeper of His Majesty's Gaol, The Castle of Lancaster.

1.

NO abuse, ill treatment, quarrelling or affray to be suffered amongst the prisoners; nor drunkenness, cursing, swearing, obscene or indecent language; nor gaming by cards, dice, or any other method whatsoever, on pain of being punished by closer confinement, fettering and withholding their allowance; which punishments the keeper is hereby required to inflict for the above offences or other acts of disobedience to these Rules and Orders, but not to continue any of the above punishments longer than seven days, without making a report of the prisoners conduct to one or more Justice or Justices of the peace for the county of Lancaster, and receiving their instructions thereon.

2.

The keeper of the gaol shall provide and keep one or more books, in which he shall write down the names of every prisoner who shall behave ill, be refractory or disobedient, specifying his offence, and the nature and term of his punishment, and he shall also insert the names of such prisoners who observe these Rules regularly, attend public worship, and behave in a peaceable, orderly manner; and he shall produce these books to the visiting magistrates at the Assizes and Quarter Sessions.

3.

The keeper of the gaol shall not, on any account or pretence whatsoever, demand or take from any prisoner in his custody, or any other person, any money or other matter for fees, garnish money, chamber rents, &c. or for and at the entrance or discharge of any prisoner; and he shall most strictly forbid and prohibit the demanding of any fees, garnish, &c. or other money by the prisoners from one another, on any account or pretence whatsoever.

4.

The keeper of the gaol shall not be concerned or interested, directly or indirectly, in any profits or advantages to be derived from providing meat, drink, cloaths or other things for any of the prisoners.

5.

The keeper of the gaol shall provide coals, soap, blankets, coverlets, mattresses, mops, brushes, brooms, pails, washing bowls, towels, baskets and coal boxes for the necessary use of the prisoners, so that their persons and all parts of the prison may be preserved as much as is possible, in a state of cleanliness and health; and he shall provide and keep in exact order, scales, weights, and liquor measures legally stamped for the free use of the prisoners. An account of the same and the expenses incurred shall be delivered in at each Court of Quarter Session, who are hereby empowered to examine and allow the same, and to order the county treasurer to pay the amount thereof.

6.

Every person committed for felony, and every convicted felon, on being brought to the gaol, shall have all his cloaths taken off, and be clean washed, and cloathed in the prison uniform; his own cloaths to be cleaned, ticketed and laid up for the prisoner to put on again on his or her trial or discharge.

7.

The keeper of the gaol shall take special care that every day room, night room and cell, be swept clean by one or more prisoners in rotation every day before breakfast, and washed every Tuesday, Thursday and Saturday; and he is required to visit every part of the prison, except prevented by sickness or necessary absence, and also attend divine service whenever the chaplain shall officiate.

8.

The keeper of the gaol shall keep a Register, in which he shall write the following particulars of each prisoner committed to his charge; viz, name, age, stature, complexion, colour of hair and place of abode, by whom committed, for what offence, when and how discharged, remarks on the conduct of the prisoner, &c. to be returned at each Assizes and Quarter Sessions.

9.

The criminals, in rotation, shall every day pump up a full supply of water for the use of the prison, and carry the same to such parts of the prison as the keeper shall appoint.

10.

Wives and children of the prisoners are not permitted to sleep in the gaol; nor lodgers of any kind.

11.

No pigs, fowls, or other animals, must be kept within the prison walls, except the keeper's dogs for his security.

12.

The turnkey shall ring the bell at the opening and locking up of the prisoners in their wards or cells, which shall be opened at eight o'clock in the morning, and locked at the dusk in the evening, from the 21st day of September to the 21st day of March; and during the summer months at six o'clook in the morning, and seven o'clock in the evening. The bridewell prisoners to be locked up in their day wards, during the winter months, from the dusk in the evening until eight o'clock, when they are to be locked up in their cells.

13.

Every felon and bridewell prisoner shall have a daily allowance of one pound and a half of good and wholesome wheaten bread, one day old, and fairly weighed out by the prison scales; and also one pennyworth of cheese, butter, peas, potatoes, turnips, &c. according to the season. These allowances of provisions to be given out every morning to the prisoners, as soon as the rooms shall be made clean; but to be entirely withheld from all such as shall not have their hands and faces clean washed, and their persons clean and neat.

14.

As an encouragement to industry, cleanliness, and good order, and a due attendance on religious worship, an extra allowance shall be made on every Sunday of half a pound of coarse beef, and one quart of broth (prepared with onions, turnips, &c. in which the same has been boiled) to every prisoner who shall have *behaved well* during the preceding week; but all allowances and indulgences to be kept back from such prisoners who have misbehaved, and are irregular in attending divine service.

15.

That no wine, ale, strong beer or porter, shall be admitted into the bridewell, transports, or felons wards, on any pretence whatsoever, unless ordered by the surgeon.

16.

No prisoner shall spit on or otherwise disfigure the walls of the cells or day rooms, destroy or waste their beds or bedding, or materials given to them to manufacture, under pain of being severely punished.

17.

The keeper of the gaol shall take especial care that the male and female transports, and all persons committed to hard labour or solitary confinement, be kept in constant work, suitable to their ability and bodily strength. That every transport or prisoner sentenced to hard labour shall be entitled to one-fourth part of his earnings, to be paid when discharged or removed, provided he hath conducted himself in an orderly manner whilst in prison; and every prisoner in the bridewell wards shall be entitled to one-half of his earnings, to be paid when discharged from prison, or in such manner and at such times as a visiting magistrate shall direct. Whenever the transports and convicted felons shall refuse to work, they shall not be entitled to the county allowance mentioned in Article 13.

18.

That the keeper of the gaol shall pay strict attention to the conduct of the Crown prisoners, whenever admitted into the debtors yard for the purpose of pumping or carrying water, &c. so as to prevent any intercourse between them.

19.

The chaplain shall read prayers and preach a sermon on every Sunday morning, and read prayers in the afternoon; and also read prayers every Wednesday and Friday at a stated hour in the forenoon; and that the chaplain be empowered to purchase, at the expense of the county, bibles and common prayer books, for the religious instruction of the poor prisoners, at his discretion.

20.

The surgeon shall personally visit the prisoners when required, and once a week, or oftener, at other times.

The Sheriff of this county and his deputy, the Justices at the Quarter Sessions, the Grand Jury at the Assizes, and the Visiting and other Magistrates, are requested to inspect this gaol as frequently as possible, and to enquire how the above Regulations are observed by the keeper of the gaol and his servants, and also by all the prisoners.

These Rules, Orders, and Regulations shall be printed, and fixed up in each ward, together with the three prohibitory clauses of the 24th Geo. II. chap. 40.

Lancaster, 14th July 1795.
Approved
Thomas Bateman, Chairman.
William White.—John Bradshaw.

Preston Session, 6th August 1795.
Allowed
T. Butterworth Bayley.

August Assizes, 35th Geo. III.

Having read the above Rules, I do hereby approve, allow, and confirm the same.
G. Rooke.

Appendix, No. 2.

Proposed Rules and Orders for the better government of His Majesty's Gaol, the Castle of Lancaster, and of the Prisoners confined therein for Debt; approved at the General Quarter Session of the Peace held 14th July, 52d George the Third.

Rules and Orders for the better government of His Majesty's Gaol, the Castle of Lancaster, and of the Prisoners who are or shall be confined therein for Debt; made and approved at the General Quarter Session of the Peace, held at the said Castle, in and for the County Palatine of Lancaster, the Fourteenth day of July, in the Fifty-second year of the reign of King George the Third.

Rule 1st.

THE Turnkey shall ring the bell at the opening and locking up of the respective Wards and Rooms, which shall be at six o'clock in the morning and nine o'clock in the evening, from the 21st day of March until the 21st day of September, and in the winter months at eight o'clock in the morning and nine o'clock in the evening.

2d.

The keeper of the gaol shall not on any account or pretence whatsoever demand or take from any prisoner in his custody, any money or other matter for fees, garnish money, or chamber rents, or for or at the entrance or discharge of any prisoner, except one shilling for each copy of commitment and certificate; and he shall most strictly forbid and prohibit the demanding of any fees or garnish money by the prisoners from one another.

3d.

The debtors may at seasonable times in the day time send for any wine, beer, ale, victuals, or other necessary food, from what place they shall think fit, or can have the same; and also to procure and use such bedding linen and other necessaries as are requisite for their accommodation, woollen or worsted bed curtains excepted. Note, the seasonable times for sending for ale, beer or porter, are between the hours of twelve o'clock at noon and four o'clock in the afternoon. The ale, beer or porter, not exceeding three pints per man each day, or instead thereof one pint of wine per day, shall be left by the person bringing the same between the gates; and shall be duly delivered by the turnkey to the debtor, whenever he calls for the same within the hours aforesaid. For victuals and other necessaries (ale, beer, porter and wine excepted) from eight o'clock in the morning until eight o'clock at night in summer, and from eight o'clock in the morning until four o'clock in the afternoon during the winter months.

4th.

Any debtor refusing to go to his room and to be locked up therein when the bell is rung may be put into the strong room or in the debtors cells until morning.

5th.

No abuse, ill treatment, riotous conduct, quarrelling or affray to be suffered amongst the debtors, on pain of being locked up twenty-four hours in the debtors cells or in the strong room, and of having the county allowance suspended.

6th.

By the 4th Statute of James, 'chapter 5, every person guilty of drunkenness shall, on conviction, forfeit five shillings, and in default of payment such offender is liable to be put in the stocks;' every debtor guilty of that crime shall, on conviction before a visiting magistrate, forfeit the county allowance during one month.

7th.

When any debtor or debtors shall be found selling ale, porter or liquors, or permitting the sale or disposal thereof within their respective rooms, not only the persons buying and selling the same, but also the persons inhabiting or living within such rooms, shall be suspended from the county allowance, and shall only be restored by order of two visiting magistrates.

8th.

That whenever the debtors assemble in any room or ward for the purpose of making a tippling party, consisting of four persons more than belong to such room or ward, then upon complaint being made to a visiting magistrate, he shall have power to suspend the county allowance of the debtors belonging to that room, and to make an order upon the county treasurer to that effect.

9th.

Any debtor guilty of blasphemy or profane swearing, shall, on conviction before a magistrate, forfeit the county allowance.

10th.

All Protestant debtors (Quakers excepted) are required to attend divine service whenever that duty is done by the chaplain, unless excused for reasonable cause, to be allowed by a visiting magistrate, on pain of forfeiting the county allowance; and the visiting magistrate is hereby empowered, on complaint being made of their neglect, to suspend such allowance by an order on the county Treasurer. And all debtors not attending divine service shall, during the time of such service, be locked up in their respective rooms.

11th.

When any complaint is made to a visiting magistrate by the keeper of the gaol and the surgeon, that any debtor's room is in an impure or filthy state, or any debtor be guilty of throwing any dirty water or other nuisance through the windows of their rooms, such magistrate is empowered to suspend the county allowance granted to the members of such room, by an order on the county treasurer.

The

12th.

The arcade within the Castle being intended for the debtors to walk in, it is to be appropriated to that purpose only. All persons who shall play at any games or use any occupation therein, shall forfeit the county allowance during such time as the visiting magistrate shall seem meet.

13th.

No visitors shall be admitted into the gaol during divine service.

14th.

In order that the prison may be kept in a state of quiet and sobriety, it is ordered, That the keeper of the gaol shall report to a visiting magistrate the names of such debtors as shall offend against these Rules.

15th.

Whenever the keeper of the gaol is under the necessity of inflicting punishment for any offence against these Rules, he shall enter the same in a book to be kept for that purpose, which the visiting magistrates are desired to inspect at each visitation of the gaol.

Edmund Hornby, Chairman;—*Edward Buckley—Thomas Clarkson—William Wilson Carus Wilson—John Bradshaw—James Stainbank—Robert Housman.*

Appendix, No. 3.

ANNUAL Account of Prisoners confined in Lancaster Castle for the last five years, and of the Number of Prisoners confined therein on the 12th of August 1812.

Crown Prisoners in Lancaster Castle, 31st Dec. 1807.

	Males.	Females.
Sentence of death reprieved	2	1
Transportation for life	1	1
- - D° - for 7 years	8	14
Insane	4	1
For trial	25	4
On various terms of imprisonment	38	4
	78	25
Total Crown prisoners		103

Debtors in Lancaster Castle, 9th June 1808 - - 156

Crown Prisoners in Lancaster Castle, 31st Dec. 1808.

	Males.	Females.
Sentence of death reprieved	2	—
Transportation for life	—	1
- - D° - for 14 years	1	1
- - D° - for 7 years	4	6
Insane	3	1
For trial	16	3
On various terms of imprisonment	44	6
	70	18
Total Crown prisoners		88

Debtors in Lancaster Castle, 25th May 1809 - - 120

Crown Prisoners in Lancaster Castle, 31st Dec. 1809.

	Males.	Females.
Sentence of death reprieved	2	—
Transportation for life	—	2
- - D° - for 14 years	1	2
- - D° - for 7 years	2	9
Insane	4	1
For trial	22	9
On various terms of imprisonment	42	8
	73	31
Total Crown prisoners		104

Debtors in Lancaster Castle, 23d June 1810 - - 148

Crown

Crown Prisoners in Lancaster Castle, 31st Dec. 1810

	Males.	Females.
Sentence of death reprieved	4	2
Transportation for 14 years	4	2
- - D° - for 7 years	5	9
Insane	4	1
For trial	16	5
On various terms of imprisonment	62	9
	95	28
Total Crown prisoners		123

Debtors in Lancaster Castle, 14th May 1811 - - 142

Crown Prisoners in Lancaster Castle, 31st Dec. 1811.

	Males.	Females.
Judgment respited	1	—
Transportation for life	—	2
- - D° - - for 14 years	1	2
- - D° - - for 7 years	1	10
Insane	6	1
For trial	27	5
An alien	1	—
On various terms of imprisonment	36	3
	73	23
Total Crown prisoners		96

Debtors in Lancaster Castle, 1st June 1812 - - 146

Number of prisoners in Lancaster Castle, 12th August 1812, classed;

Male Debtors	160
Female D°	6
Total	166

Crown Prisoners:

	Males.	Females
For trial	71	12
Transports	11	13
Lunatic	5	1
On various terms of imprisonment:		
Ten years	1	—
Three years	5	1
Two years	20	2
Eighteen months	3	—
One year	15	5
Six months	2	5
Three months	—	1
One month	—	1
	133	41
Total		174

Debtors	166
Crown prisoners	174
Total	340

Appendix, No. 4.

4th and 6th Section 32d Geo. II. c. 28.

32d Geo. II. chap. 28th. sect. 4th.—And be it further enacted by the authority aforesaid, That every Sheriff, Under Sheriff, Bailiff of any Liberty, gaoler and keeper of any prison or

gaol, and other person and persons to whose custody or keeping any one hath been or hereafter shall be arrested, taken, committed, or charged in execution by virtue of any writ, process, or action, or attachment, shall, at all times hereafter, permit and suffer every such person and persons during his her and their respective continuance under arrest, or in custody or in execution for any debts, damages, costs or contempt, at his her and their free will and pleasure, to send for or have brought to him her or them, at seasonable times in the day time, any beer, ale, victuals, or other necessary food, from what place he she or they shall think fit, or can have the same; and also to have and use such bedding, linen, and other necessary things as he she or they shall have occasion for and think fit, or shall be supplied with during his her or their continuance under any such arrest or commitment, without purloining or detaining the same, or any part thereof, or enforcing or requiring him her or them to pay for the having or using thereof, or putting any manner of restraint or difficulty upon him her or them in the using thereof or relating thereto; and no such prisoner or prisoners shall pay any thing in respect thereof to any such Sheriff, Under Sheriff, Bailiff of any Liberty, gaoler, keeper, or other person or persons as aforesaid.

32d Geo. II. cap. 28th. sect. 6th.—And be it also enacted by the authority aforesaid, That proper rules and orders for the better government of the respective gaols and prisons in that part of Great Britain called England, and of the prisoners who are or shall be therein, where such rules and orders have not already been made, shall, with all convenient speed, be made by the several Courts in Westminster Hall, for and in respect of the several gaols or prisons belonging to such Courts respectively, and by the said Lords Chief Justices and Lord Chief Baron, or any two or more of them, together with the Mayor and two Aldermen of the said city of London, or three or more Aldermen of the said city of London without the said Mayor, for and in respect of the gaols and prisons within the said city of London, and by the said Lords Chief Justices and Lord Chief Baron, or any two of them, for the time being, together with three or more Justices of the Peace for and in respect of the gaols and prisons within the said counties of Middlesex and Surrey, and by three or more Justices of the Peace of each county, riding or division, city, borough, town corporate, or place, for and in respect of the gaols and prisons within their respective counties, ridings, divisions, cities, boroughs, towns corporate, or places, at some General or Quarter Sessions as aforesaid; and the same shall afterwards be reviewed, and may be altered, if thought necessary, by the Judge or Judges of Assize, or Justice or Justices of Great Session respectively, at the next Assizes or Great Sessions which shall be held by them respectively within their several circuits after the making or altering of any such rules or orders; and where any rules or orders for regulating or governing any such gaols or prisons have already been made, or hereafter shall be made, the same may at all times hereafter be enlarged, altered or amended, as there shall be occasion, by the respective Courts in Westminster Hall, and other the persons for the time being respectively authorized by this Act to make and alter the same; and after every making, enlarging, altering or amending thereof, all such rules or orders so enlarged, altered or amended, shall be signed by the Judges of each respective Court in Westminster Hall where any such such rules or orders shall be made, enlarged, altered or amended, for and in respect of the prisons and prisoners belonging to the said Courts respectively, and in respect of the other gaols or prisons, or the prisoners therein by the respective persons for the time being hereby before authorized, to make and review or alter such rules or orders within their respective jurisdictions as aforesaid; and duplicates of every such table of fees which shall be made, enlarged, altered, or varied, and of all rules or orders which shall be hereafter made for regulating any gaol or prison in pursuance of this Act, belonging to the said respective Courts in Westminster Hall, shall be entered and inrolled on record in every such respective Court by the proper officer thereof, without any fee to be paid for the same; and a like duplicate of every such table of fees, rules or orders, which shall be so made, varied, altered or amended, and which shall concern or relate to any other gaol or prison, or the prisoners therein, in that part of Great Britain called England, shall from time to time, with all convenient speed, after the making or altering, enlarging or varying thereof, be transmitted to the respective Clerks of the Peace of the several counties, ridings, divisions, cities or places, in or for which the same shall be made, altered, enlarged or varied, and shall be, by every such respective Clerk of the Peace, entered or registered on the rolls of the respective Sessions without fee; and every such Clerk of the Peace shall cause another copy thereof to be hung up in the Court where every Assize, Great Sessions, or Quarter Sessions of the Peace, for every such county, riding, division, city or place respectively within his jurisdiction shall be held, there to remain, and be inspected as occasion shall require; and shall also cause another copy thereof to be transmitted to every gaoler or keeper of any prison within the jurisdiction of any such respective Clerk of the Peace; and every such gaoler or keeper shall forthwith, after the receipt of any such table of fees, rules, or orders, cause the same to be hung up in some open or public room or place, and in a conspicuous manner, in his gaol or prison; and it shall be incumbent on every such gaoler or keeper, to take care that the same shall from time to time be kept up there and preserved, so as that the prisoners in his gaol or prison may have free and easy resort thereto at seasonable times in the day time, as occasion shall require, without paying any thing for the same.

Appendix, No. 5.

LIST of Charitable Legacies to the Debtors imprisoned in Lancaster Castle.

	£.	s.	d.
FROM Mrs. Henrietta Rigby's executors, to twelve of the most necessitous and well-behaved prisoners five shillings each, paid by the Mayor of Lancaster 1st March in every year	3	—	—
From Mrs Langton, paid by Lawrence Rawstorne, esq. at each Assize	2	—	—
From Sir Thomas Gerard of Gorstwood, paid by Mr. Pensick, steward to the present family, due about 1st August	8	—	—
Paid under a decree of the Court of Chancery of this county, out of an estate in Shumisdale called Sand, late belonging to Peter Lathom deceased, distributed every August Assize by the trustees of the said Peter Lathom or their order, paid by Mr. Greaves & Co. of Preston	6	—	—
By the will of William Edmonston of Outhwaite, half the rent of a field in Scotford, purchased by the money left for such purpose by the said will, paid by the county treasurer, in bread	2	10	—
N. B. This field is now in the tenure or occupation of Mr. at the yearly rent of five pounds; and the other half of the rent is paid to the prisoners at Preston.			
From Mrs. Abigail Rigby's executors, paid by the Mayor of Lancaster every St. Thomas's day	2	—	—

Appendix, No. 6.

NAMES of the Debtors to whom Mrs. Rigby's Legacy was paid on the 1st day of June last.

MR. HIGGIN received a note from the Mayor of Lancaster, requesting him to send him (Mr. Mayor) a list of twelve of the most necessitous and well-behaved debtors.

To which note Mr. Higgin returned the following answer.

Mr. Higgin's respectful compliments to Mr. Mayor, and begs leave in answer to his note, to send the following list of poor debtors.

Ormrod Dearden,
Thomas Bowker,
Ralph Swindels,
Thomas Graham,
Robert Wright,
James Walker,
John Sumner,
William Rothwell,
John Hulme,
Joseph Hulme,
Thos Trueman,
John Wilcock.

Lancaster Castle, 30th May 1812.

The sum of five shillings each was paid to the above-named debtors on the 1st day of June 1812, in the presence of John Cooper, and the receipt given by them for the money is now in the hands of the Mayor of Lancaster.

Appendix, No. 7.

AN ACCOUNT of the Earnings of the Prisoners in Lancaster Castle, from June 1799 to June 1812.

	Earnings.			County's Share.			Prisoner's Share.			Net Cash paid to the Treasurer of the County.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
1799	335	14	7½	193	15	7	141	19	—½	168	13	4½
1800	571	17	1½	324	19	3¼	246	17	10	267	8	6½
1801	552	19	4	344	1	5¼	208	17	10¼	238	14	—¾
1802	705	18	11½	436	15	10¾	269	3	—¾	287	1	9¾
1803	974	10	1	565	19	5¼	408	10	7¾	343	15	11
1804	763	16	11	424	1	10	339	15	1	274	6	2
1805	683	15	4½	361	2	5¼	322	12	11	184	10	4
1806	604	11	10	317	10	2¾	287	1	7½	151	3	10½
1807	557	9	2¼	316	13	8	240	15	6½	175	18	1
1808	655	6	8	374	13	5¾	280	13	2¾	229	1	4¾
1809	568	17	5	365	8	2	203	9	3	262	18	3
1810	541	4	1	350	18	11¼	190	5	1½	240	13	3¾
1811	392	—	2½	250	18	10½	141	1	4	155	10	11¼
1812	302	4	7¼	201	9	8¾	100	14	10½	73	3	5¼
£.	8,210	6	5¼	4,828	9	—¼	3,381	17	5	3,052	19	7

Appendix, No. 8.

INQUISITION taken on view of the body of Tho^{s} Rawlinson.

County Palatine of } An Inquisition indented, taken for Our Sovereign Lord the King,
Lancaster, to wit. } at the parish of Lancaster in the said county palatine of Lancaster, the seventh day of May, in the fifty-second year of the reign of Our Sovereign Lord George the Third, by the grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, before John Gardner, one of the coroners of our said Lord the King for the said county, on view of the body of Thomas Rawlinson then and there lying dead, upon the oath of Ormerod Dearden, Thomas Bowker, John Parker, Joseph Dickinson, Robert Madder, John Hulme, John Woodruff, James Hill, Robert Downey, Hugh Alexander, Joseph Muschamp, and John Valentine, good and lawful men of the said county duly chosen, and who being then and there duly sworn, and charged to enquire for our said Lord the King, when, where, how, and after what manner the said Thomas Rawlinson came to his death, do upon their oath say, that the said Thomas Rawlinson not being of sound mind, memory and understanding, but lunatic and distracted, on the sixth day of May in the year aforesaid, in the Castle of Lancaster in the county aforesaid, one of the woollen stockings of him the said Thomas Rawlinson, of no value, which the said Thomas Rawlinson had then and there torn into narrow pieces, he the said Thomas Rawlinson round the neck of him the said Thomas Rawlinson did then and there twist, tie and fasten, by means of which twisting, tying and fastening, by him the said Thomas Rawlinson, of the said pieces of woollen stocking round the neck of him the said Thomas Rawlinson, he the said Thomas Rawlinson was then and there suffocated and strangled, of which said suffocation and strangling he the said Thomas Rawlinson on the same day and year aforesaid, at the Castle aforesaid, in the parish and county aforesaid, then and there died; and so the jurors aforesaid do say, that the said Thomas Rawlinson in manner and by the means aforesaid, not being of sound mind, memory and understanding, but lunatic and distracted, did kill and destroy himself. In witness whereof, as well the said Coroner, as the Jurors aforesaid, have to this Inquisition set their hands and seals the day and year and at the place first above mentioned.

John Gardner, Coroner.

The mark and seal of			The mark and seal of		
Ormerod Deardon,	⋈	(L. S.)	*John Woodruff*,	⋈	(L. S.)
John Parker,		(L. S.)	*Robert Downey*,		(L. S.)
Robert Madder,		(L. S.)	*Thomas Bowker*,		(L. S.)
Joseph Dickinson,		(L. S.)	*Hugh Alexander*,		(L. S.)
John Hulme,		(L. S.)	*Joseph Muschamp*,		(L. S.)
James Hill,		(L. S.)	*John Valentine*,		(L. S.)

Appendix, No. 9.

LETTER of the 26th of May last, from J. W. Wardell to the High Sheriff, referred to in the minutes of evidence before the Magistrates.

SIR,

I APPREHEND it is within your province, to rectify a very great and abominable nuisance that exists in this prison, to the great detriment of the health of the prisoners, by your injunction upon the gaolor to remove, within a limited period, the human ordure that is allowed to remain in the midst of the yard for days together exposed to the air. The effluvia that evaporates from it is so offensive as almost to produce suffocation. In all large towns throughout the kingdom, that kind of excrement is immediately removed from the streets, under a severe penalty for nonperformance; and I cannot but think you will see the necessity of a parity of regulations existing in this prison, where the prisoners are so numerous, and the space allotted them so circumscribed. I have also to suggest to you the necessity of some attention being paid to the poor debtors, who are frequently unable to purchase more than 5 cwt. of coals, but are excluded the purchasing of that quantity by an order of the gaoler, that the gates should not be opened to a less quantity than 10 cwt.

There are now in this gaol six debtors in one room, who are unable ever to raise five shillings, which will scarcely purchase the half of the quantity allowed by the gaoler.

Surely upon the principle of humanity such a regulation is incompatible, as extending to debtors who cannot be supposed to possess a superfluity of means; and if the coal merchants are willing (which they are) to bring a small quantity, it seems reasonable the gaoler should not demur. It may be urged by the gaoler that it is unsafe to open the gates frequently; but when I apprehend it is stated to you that the gaoler's horse and gig are at all times of the day going out and coming in, the imbecility of such a defence would be sufficiently flagrant. I trust that in your estimation, as the accessibility of the horse and gig into the gaol is permitted, a similar accessibility may be permitted the coal merchant in supplying the debtor. I have also to say, that I have been in this gaol upwards of ten months, and that neither the gaoler or his deputy have visited the rooms during that period, which if they had, might have conduced much to the comfort of the prison. The gaoler has also said, he will pay no attention in future to any complaint from a debtor; and I think it right to ask

ask you to whom the debtor's complaints are referrable? I am also desired to state to you the case of two poor debtors of the names of Hayes and Goulden, who are now supersedeable, but are refused by the gaoler the benefit of the charity of the Thatched House to supersede with; for this absurd and inhumane idea, because a person of the name of Parsons had ruled for them (a previous process in law) and who conducts this kind of law for the debtors at a reduced price, to the gaoler's son who is an attorney. This being an abuse of the funds of the Thatched House, is, I apprehend, cognizable by you as High Sheriff, the gaoler being your servant. I beg it may be understood, that the individuality of any prospective benefit to myself is by no means sought for in this state event, as I expect to leave this prison in a few days. There are other circumstances relating the conduct of the gaoler, which may not immediately be cognizable by you, but which will shortly be agitated in the House of Commons.

I have the honour to be,
Your obedient servant,
J. W. Wardell.

To Edward Greeves, Esq.
High Sheriff for the County of Lancaster.

Appendix, No. 10.

MINUTES of EVIDENCE, taken before the MAGISTRATES on the 6th of June 1812.

At a Special Sessions held at the Castle of Lancaster, in the county of Lancaster, on Saturday the 6th day of June 1812, before Thomas Bateman, John Bradshaw, and Edmund Rigby, Esquires, and the Reverend Thomas Clarkson, Clerk, four of His Majesty's Justices of the Peace in and for the said county, for the purpose of investigating into the conduct of Mr. Higgin, the keeper of His Majesty's Gaol the Castle of Lancaster, in the said county, on certain Charges exhibited against him by Jacob Wilson Wardell and others.

As to the First Charge,

A letter dated "Lancaster Castle, Tuesday 26th May 1812," signed "J. W. Wardell," was acknowledged by the said J. W. Wardell to be his hand-writing.

John Unthank says,—That a quantity of manure thrown out of the necessary, was suffered to remain in the yard of the prison for some time; "I can't think it remained twelve hours;" the manure he believes could not be taken out any other way.

William Mallalieu says,—He considered the manure to be a nuisance; it remained in the yard two days together, thinks there was more than half a dozen cart loads—he has been here 10 months, and the manure has been taken out twice during that time—the manure consists of ashes and excrement; it was offensive to witness; can't say whether it was more offensive to him than others—the first time it was taken out to the witness's knowledge, it was removed immediately; to the best of witness's recollection it remained two whole days, it was taken out on the Monday, and remained till Thursday morning—can't say what length of time was occupied in emptying the privy, it might be nearly the whole of a day.

John Hankin says,—The manure remained in the yard three days—witness has been in the Castle about nine months, and the manure has been taken out twice within that time; the whole was taken out of the privy in one day, and continued two whole days afterwards in the yard; it remained three days, including the day on which it was taken out. Witness speaks to the best of his recollection. Will swear positively that the aggregate quantity of the manure remained two whole days in the yard of the prison. Witness is in the room called the Tap. It was not offensive to him when he was in his room; it was only offensive to him when he was in the yard.

George Collier says,—The manure remained in the yard of the prison two whole days from the time it was first taken out of the privy to the time it was removed from the yard; it was taken away on the second day, the day after it was removed from the privy; he is in Front Well Tower; it was offensive to him when the wind blew that way, and the window was open.

James Mallalieu says,—The manure remained in the yard of the prison two whole days; the whole quantity of manure taken from the privy remained two whole days from the beginning; it was taken away on the fourth day—can't say what quantity; it was offensive to witness when he was in his room. Witness tried the yard in all places, and he found it offensive; it was particularly obnoxious to him. Witness has been here about 10 months, and during that time it has been taken out two or three times. Witness and his son have had a room to themselves for some time.

As to the Second Charge,

William Mallalieu says,—Formerly they could have had less than 10 cwt. of coals, but latterly they could not—it was difficult for those who inhabit N° 3 to purchase more than 5 cwt.—when they were in N° 4. they could not stow away more than 5 cwt. with convenience—when they left N° 4. there might be 10 cwt. in the room; since the Assizes they bought 10 cwt. and divided them amongst the members in N°s 2 and 3; it has been inconvenient for the debtors not to be allowed to purchase a small quantity. He has been here 10 months; it is usual for a person on entering the room to pay £.1. for coals, salt, pepper, and other necessaries—it is a practice amongst the debtors. Gaoler told witness, that they should pay no more than a load of coals on entering the room and becoming a member,

which was the old practice; they have resisted from 12 to 20 persons from coming into their room.

As to the Third Charge,

William Mallalieu.—Witness conceives that it would have been conducive to the comfort of the debtors if Mr. Higgin had visited the room oftener than he has done—a many of the members have been annoyed by the selling of ale in the rooms adjoining. About the 21st or 22d of May last, witness wished to make some complaints to the gaoler, and the gaoler then refused to hear any; he did hear the complaints at that time, but told witness he would not hear any afterwards. The complaints he then made were, as to the regularity of putting members into rooms. Mr. H. said, he would attend to no complaints on the other side of the gates, except on official business; witness conceived that Mr. H. meant business relative to the office; won't say whether Mr. H. said he would not attend to frivolous complaints.

William Rideal says,—That about a month or five weeks ago, he came down to Mr. Higgin's office in consequence of some little misunderstanding that prevailed in their room: Mr. Higgin signified, that he had had so much perplexity and trouble for some time back, that really he should be under the necessity of paying no attention to any complaints of the kind from any of the debtors, and that he believed in future he should be compelled not to speak to any of them, or words to that effect; and Thomas Wattleworth was present, and they both concurred in opinion, that Mr. Higgin had had a great deal of perplexity and trouble from persons making complaints at the gates. James Mallalieu and William Mallalieu and Mr. Wilson were the members in N° 4. and witness was also a member. Mr. Higgin had an application from a friend of witness's, and witness was ordered to the room N° 4. he believes officially; when he went to the room, he presented himself to Mr. Mallalieu, and Mr. Mallalieu said, they had refused two gentlemen before the witness, and they were under the necessity of refusing him. Witness then came down to the gates, and informed Mr. Cooper that he was discharged from the room, and could not stay there. Mr. Cooper said, "You must be there, and no where else, Sir;" and witness returned and sat himself down in the room—at night he went to bed, and they refused him every accommodation in the room—the Mallalieu's behaved extremely ill to him; and witness is well aware that he has given Mr. H. a great deal of trouble: Mr. H. said, he would not attend to any frivolous complaints, and witness acquiesced.

Thomas Wattleworth says,—Mr. H. has said, he would not attend to any complaints: witness came to complain against the Mallalieu's, and Mr. H. said he was determined to alter his conduct, and that he would hear no more of any thing that the debtors had to say; he would not attend to their complaints. The Mallalieu's abused witness on his going into the room, and refused to allow him every convenience; they said, he should not think of thrusting himself into that room; it is the old Mallalieu he complains of.

Fourth Charge.

George Tengatt says,—That Hayes (who is now discharged) was in the same room with witness, and told witness that Mr. Higgin had got £.5. sent down from the Thatched House, and was going to supersede for him and two or three others; Cooper had called James Hayes down to the gates, and Hayes wished to know why Mr. Higgin did not supersede for him; and he (Cooper) told him, that as persons had been employed to rule for him, Mr. Higgin could not supersede for him. Witness told Hayes, that he thought it was a very hard case, as Mr. H. had superseded for others, and would not supersede for him. Witness met Mr. Wardell, and told him, that they were going to get a little money to procure Hayes's discharge; and Mr. Wardell answered, that if Mr. H. would not supersede for him he would write to the Thatched House; and witness went for James Hayes to Mr. Wardell, and Hayes then desired him to write to the Thatched House for him.

William Goulding says,—That it is some time ago since he petitioned the Thatched House to get discharged from prison, and Mr. Thomas Higgins afterwards told witness, that there was £.5. come down for him; and he asked him, whether he should write to his plaintiff? and witness told him, he might if he liked; he was no scholar himself, and Mr. H. wrote; and the plaintiff wrote back again, and said he would not take it; Mr. Higgin, senior, read the letter to him. The matter passed on, till witness became supersedeable; and he asked Mr. Higgin about it, and he told him that his son was doing it; and he asked, if he (Mr. H.) knew that his son had sent backward on account of Parsons taking the rule out; it is about a fortnight or three weeks back since Mr. H. the attorney sent him word, that he would not supersede for him on account of Parsons having taken out the rule. Witness asked old Mr. Higgin what he must do for money to supersede with, and Mr. H. told him, he might get it where he could. *William Goulden.*

Mr. John Higgin says,—That he has been accustomed to advise *gratis* generally; and he has frequently told the turnkeys, that if there was a poor debtor a deserving object, he would supersede for him. Some time ago, Cooper the turnkey mentioned three persons of the names of Chapman, Hayes, and Goulden; he spoke to Mr. Higgin, senior, and told him, that if he could, out of the charity fund, or in any other way allow him the money *out of pocket*, he would endeavour to procure their discharges. He conversed with Mr. Higgin on the subject, and they looked at the warrants on which they were detained, and he desired copies of them. At that moment Mr. Thomas Higgin came into the office; and he learnt from him, that Goulden was a dissolute character, and not an object of charity. By that night's post he sent copies of Chapman's and Hayes's commitments to his agent at Preston; and he told him, that he was asking charity; and he desired he (the agent) would call on the prothonotary, to give the discharges without payment of office fees, and he (witness) would be answerable for the money expended and out of pocket. The letter is in the hands of his agent.

agent. Mr. John Higgin and his father accordingly procured discharges for Hayes and Chapman on payment of court fees merely; but he refused to interest himself on the part of Goulden, on account of his bad character. *John Higgin*, jun.

Appendix, No. 11.

MINUTES of EVIDENCE, taken before the Magistrates on the 10th of June 1812.

A Special Sessions, held by adjournment at the Castle of Lancaster, in the County of Lancaster, on Wednesday the 10th day of June 1812, for the purpose of making further investigation into the conduct of Mr. John Higgin, the Keeper of the said Gaol.

AS TO THE CHARGE MADE BY WILLIAM MALLALIEU.

Mary Wardell; sworn: says,—That about October or November last she was refused by Cooper the turnkey, admittance into the female debtors yard. That it was generally spoke of in the yard (and out) that if she gave a bribe to the turnkey, she might have free access into the females ward; that she afterwards gave Cooper a dollar as a present, and she had afterwards access into the ward. She thought from Cooper's looks, that he wanted a bribe; that she has once or twice since given money to Cooper, but she did not consider it as a bribe; that she most undoubtedly perceived an alteration in Cooper's looks, since she left off giving Cooper money. She particularly speaks of the dollar intended as a bribe; the other money she gave to Cooper she considered as pay for her bread, and that she had a right to give whatever she pleased for it; she gave 3s. for two loaves of bread, which usually are sold for five-pence a loaf. When she gave Cooper the dollar, she did not know that Cooper had any account either against herself or husband; and when she gave Cooper the money, there was no slate produced by him, nor any mention made by him, as to any account he had against her.

IN DEFENCE.

John Cooper, Turnkey; sworn: says,—Mrs Wardell has been frequently in the habit of asking him to procure bread for her; he has always been willing to oblige Mrs. Wardell in getting bread for her. Frequently Mrs. Wardell sent her man down to the gates for bread without money; he has got bread and sent it to her without money; it has been standing two or three months together against her; he has sometimes asked her for money for the bread. She had two loaves down in one week, and two the week or the week following, which were not paid for; when she paid him she gave him two shillings, the four loaves should have been one shilling and eight-pence; he offered her the change, which she refused to take, and say'd, "Give it to your little boy." Witness told her, it was a thing they did not usually take; she said "Psha, psha, I surely can do what I like with my own, take it and give it to the little boy;" he threw down the money upon the seat near the gates, and gave it to his boy when he came up. Says, he never did receive from Mrs. Wardell, either directly or indirectly, a dollar by way of a bribe; he has frequently paid for parcels for Mr. and Mrs. Wardell, and he received the dollar as pay for the parcels. When parcels are carriage paid, the porterage from the coach office to the Castle are always charged and paid for by the turnkey. The dollar was paid to witness in the office. Mrs. Wardell said, "Cooper, I know that I owe you something for different things," he said, "Yes, ma'm, it is down upon the slate what you owe me;" she answered, "Hang the slate, why do you put it down there;" and he said, "Your name is not down, there is only W. and the figures;" she then threw down the money, and said, "Rub it off." Witness does not know what the money amounted to; some of it had been down as long as three months; she overpaid him. Witness said, "Stop, ma'm, I'll give you the change out," and she said "She would have bread for it." Mr. Higgin some months ago came into the office, and saw some memorandums upon the slate,—accounts against debtors; and found fault with him for keeping such accounts, and since he has not kept any such accounts. Mr. Higgin has frequently told witness to be cautious how he received money from the prisoners, (probably some might deceive him,) and to be cautious of taking any bribe. He has been upwards of two years in his present situation.

DEFENCE AS TO THE FIRST CHARGE.

Thomas Ogle; sworn: says,—That he has frequently seen the manure removed out of the Castle. He has been there nearly five years. It is generally the practice to take the manure out of the privy on one day, and to remove it out of the yard on the following day; the last time it was taken it was not particularly offensive, so little so that they did not perceive it in their room: after it was removed the pavement was well washed. He does not recollect the manure laying so long at any time as the last; it only lay one whole day; it was taken out of the privy on the Monday, and removed on the Wednesday following. Witness is in the room No. 6. over Mr. Wardell's room. Witness was frequently in the yard when the manure was there; it was not particularly offensive; it was certainly perceptable; there was a great deal of ashes mixed with the human ordure. Witness considers the complaint quite frivolous. Witness has found that Mr. Higgin was particularly anxious to promote cleanliness in the gaol, and has given every direction to his servants for that purpose. Mr. Higgin has done every thing in his power to make alterations in the rooms, and for the purpose of conducing comfort to the prisoners: the resolutions were voluntary; he does not know of Mr. Higgin soliciting for them.

Thomas Lee; sworn: says,—That he threw the manure out of the privy the last time it was taken out; it was on Whit Monday; it was removed on the Wednesday morning following; the carts were in the yard by eight o'clock in the morning, and the whole was removed by half-past two o'clock in the afternoon. The carters assigned as a reason for their not coming to take it away on the Monday, that they were at the fair, and Tuesday was a holiday, and some of the servants were changing their places.

John Clark; sworn: says,—That the last time the manure was taken out was on Whit Monday; it remained until the Wednesday following, and was then removed by Mr. Gibson's carts. Witness did not perceive it to be particularly offensive when it lay in the yard, nor did he hear of any complaints: the vault is near the centre of the yard, and a great distance from any of the debtors rooms. Mrs. Wardell at present owes witness upwards of two shillings for bread; he knows that she owed Cooper for bread.

Thomas Fell, Rd Foster, Wm Rothwell; sworn:—Say, that they are all debtors in the gaol; they recollect the manure being taken out last; they cannot speak as to the time it was taken out; they did not find it particularly offensive; it was so little so that they took no particular notice of it, and are much surprized that it should be taken any notice of now: the charge they consider frivolous.

As to the Second Charge,

William Rothwell says,—That the restriction as to the debtors being allowed not to have less than 10 cwt. of coals, he considers not to be any inconvenience to any of the debtors, not even the poorer; and he assigns as a reason, that on every member entering a room, he pays a certain sum of money for the purchase of coal, candles, and a variety of other articles. A regular book is kept for the entry of receipts and disbursements by the elder member. Sometimes it happens that the fund is run out, and then the members subscribe again, but this seldom happens. The person who keeps the accounts has it mostly in his power to purchase 10 cwt. He never heard of any complaint being made by any of the debtors, except those who made the complaint against the keeper. He very rarely sees Mr. Higgin's gig come into the yard; it comes in occasionally to be cleaned, but is not kept there.

Thomas Fell and *Richard Foster*,—Having heard the last evidence, give the same testimony.

Thomas Fell, Richd Foster, and *Willm Rothwell*; also say,—That certain resolutions, dated Lancaster Castle 1st June 1812, and signed by a number of the debtors, were unsolicited for by Mr. Higgin. The meeting was public, and the debtors who signed the resolutions were very anxious to express their regard for Mr. Higgin. They don't know of any bribe being given to the turnkey, nor has it been a common topic.

William Rothwell further says,—That John Clark, one of the turnkeys, took up a Mr. Denny to No. 4. where James Mallalieu was, and Jas Mallalieu said, that he (Mr. Denny) could not be in No. 4. and if John persisted he must go down to Mr. Higgin. In consequence of Mallalieu refusing Denny, he went into No. 3. as a person was about that time leaving the room. The turnkeys visit them twice a day, night and morning; and Mr. Higgin does every thing to promote cleanliness in the gaol. Witness is well persuaded from Goulden's conduct, that he must have spent more money within the last two months, than would have paid for superseding him. Witness has applied to Mr. Higgin for advice about his private affairs; he afforded it to him; and when witness made an apology to Mr. H. for the trouble he had given to him, he observed that he would at all times give him every information he could; and witness knows that it has been afforded to many others besides himself.

George Napper says,—That about nine months ago he offered to Cooper some money, for being of service to him;—Cooper refused to take it; he said he would not take it, nor never did from prisoners: witness pressed him very much to take it. It is not the general talk in the yard that the turnkeys accept bribes. The resolutions made by the debtors he believes were voluntary. Witness enquired if they were not so before he signed them.

James Livesey; sworn: says,—He has been here about nine months; if the turnkeys were in the habit of receiving bribes, it would be mentioned in the yard. He heard Mr. James Mallalieu say, that Miss Mallalieu had offered Cooper the turnkey some money, which Cooper refused; consequently Miss Mallalieu wished to look through the Castle in order to give Cooper some money. He never heard it mentioned in the yard, that either Cooper or any other of the turnkeys are apt to take bribes; if they had taken bribes he must have heard of it.

Richard Dearman; sworn: says,—That Cooper had been of service to him; he had given him a great deal of trouble, and he wished to remunerate him. Witness's wife sent to Cooper's wife a small ham, and which they returned. Cooper himself did not receive it. Witness has been here nearly nine months; he knows Mr. Higgin pays every attention to the prisoners. Witness never heard it mentioned in the gaol that the turnkeys took bribes, he has heard quite to the contrary, and that they refused in several instances. Witness never heard it as a matter of complaint, that the prisoners were restricted from receiving less than 10 cwt. of coals

Ormrod Dearden; sworn: says,—That he has been here three years and twenty-four weeks; has seen the vault frequently emptied: the last time it lay a day longer than usual. Mr. Higgin employs the witness to clean the yard, the stairs, the necessaries, lobbies, &c.; he scours them and washes them; and Mr. H. has given particular directions to keep all clean. Witness receives no remuneration from any of the prisoners for his work. Mr. H. has given him directions frequently to clean particular places when they were dirty. Witness

has

has never heard that the turnkeys received any bribes. Witness knows that Mr. H. has furnished coals for those prisoners who had not the power of purchasing. Mr. H. has done every thing in his power for the good and comfort of the prisoners.

Appendix, No. 12.

OPINION of the Magistrates on the Charges against the Gaoler, 10th June 1812.

At a special Session of the Magistrates of the hundred of Lonsdale south of the Sands, held at the Castle of Lancaster, in the county of Lancaster, on Saturday the sixth, and continued by adjournment until Wednesday the tenth day of June, one thousand eight hundred and twelve, for the purpose of investigating certain charges preferred to the High Sheriff of the said county by Jacob Wilson Wardell, William Mallalieu and others, against Mr. Higgin, as keeper of Lancaster Castle.

Present; Thomas Bateman, John Bradshaw, Edmund Rigby, Edward Buckley, Esquires; and the reverend Thomas Clarkson, Clerk;

HAVING heard and considered the several charges and grievances alledged against Mr. Higgin, in the government of His Majesty's gaol, the Castle of Lancaster,

We are of Opinion;

That all the said Charges are wicked, malicious, and without foundation.

We regret to remark, that a strong disposition prevails among some individuals confined in the said Castle, to resist the proper and salutary authority vested in the governor of it; and, by effrontery and intimidation, to prevent the execution of the duties which belong to Mr. Higgin's situation.

Whilst we deprecate such conduct on the part of Jacob Wilson Wardell, William Mallalieu, and their associates, we are happy to bear testimony to the peaceable and respectful demeanor of a large majority of the debtors; and we notice with much satisfaction the voluntary and manly expressions of their esteem and regard for Mr. Higgin, who, during a period of thirty years, has administered the important trusts of his office with firmness and humanity towards the persons under his charge, and to the entire approbation of ourselves, and we believe of the county at large.

That our sense of the great impropriety of conduct of some of the prisoners for debt may be more strongly marked, we think it requisite to withdraw the weekly charitable county allowance from the following persons; viz. Jacob Wilson Wardell, William Mallalieu, James Mallalieu, William Goulden, John Haukin, William Rideal, and George Tangatt: and we desire that a copy of these Resolutions may be sent by the chairman to the High Sheriff and each of the members for the county.

Thomas Bateman—John Bradshaw—Edward Buckley—Edmund Rigby—Thomas Clarkson.

Appendix, No. 13.

RESOLUTIONS of the Magistrates at the Annual General Sessions, on the said Charges, 25th June 1812.

AT the Annual General Session of the Peace, held at the New Court House in Preston, in and for the County Palatine of Lancaster, the Twenty-fifth day of June, in the Fifty-second year of King George the Third's reign.

Before the Reverend James Barton, Clerk, Chairman;—John Bradshaw—John Clarke—William Hill—Samuel Horricks—William Hulton—Bertie Markland—Edmund Rigby—John Silvester—Edmund Thornton—George Williams; Esquires—Thomas Clarkson—James Penny, Clerks; Justices of the Peace there assembled.

It was Unanimously Resolved,

1st.—That the conduct of Mr. Higgin, as governor of the Castle of Lancaster, has uniformly been distinguished by its general propriety and correctness; and most especially by extreme tenderness and humanity towards the unfortunate persons in his custody.

2d.—That it was therefore with great surprise and regret we learnt, that complaints had been made against him of harsh and improper conduct; and that such complaints had formed in the first instance, the subject of a petition to the House of Commons.

3d.—That it is our decided conviction, from our general knowledge of his character, and from the inquiries we have made into the circumstances of the charges preferred against him, and from the strong opinion pronounced upon those charges by the very respectable magistrates, who personally entered into an investigation of them upon the spot, on oath; that there is not the slightest ground whatever for imputing to Mr. Higgin any deviation from that course of propriety and humanity which he has ever pursued.

4th.—That we heartily concur with the magistrates before mentioned, in the Resolutions which were adopted by them in pursuance of such investigation.

5th.—That at this alarming crisis, when the duties of Mr. Higgin's situation become daily more weighty, and involve him in great additional responsibility, we feel it due to his character and station to bear this public testimony to his merits, and to repress as far as in us lies, that mischievous spirit of insubordination which leads to the dissolution of all wholesome and

necessary restraint; and by its daring calumnies inflicts a severe wound upon the feelings of a most meritorious public servant, of whom we think it now, more than ever, necessary to declare, that he possesses our entire and unqualified esteem and confidence.

6th.—That a copy of these Resolutions be forthwith transmitted to Edward W. Bootle, Esq. the members for the county, the members for the boroughs, and to each of the magistrates; and also that they be inserted in two London papers, and in all the provincial papers.

That the thanks of this meeting be given to Colonel Stanley, John Blackburne, Esq. Edward Wilbraham Bootle, Esq. John Dent, Esq. and Peter Patten, Esq. for their prompt, liberal and spirited exertions in repelling the charges which have been so groundlessly preferred against Mr. Higgin, as the governor of Lancaster Castle.

E. Gorst, Deputy Clerk of the Peace.

Appendix, No. 14.

LETTER of the 8th June 1812, from J. W. Wardell to Mr. Thompson of Lancaster, Solicitor, requesting a Copy of the Minutes of Evidence taken before the Magistrates on the 6th June 1812.

Sir, Lancaster Castle, Monday 8th June 1812.

I HAVE the honour of requesting you to favour me with the depositions taken by you on Saturday before the magistrates, which I believe was unanimously declared by them, I should be put into possession of immediately, that you could copy them. It is essentially necessary I should possess them this evening, or early to-morrow morning, as being connected with a variety of matter now submitted by me to the House of Commons; I trust you have copied them, and that I shall have the pleasure of receiving them from you this evening, and am,

Sir, your obedient servant,

J. W. Wardell.

P. S.—From the personalities I experienced from Mr. Higgin the attorney, on Saturday, which would have been perfectly absurd in me then to have noticed, but as it is possible an unfavourable impression might be produced on your mind in consequence of it, I flatter myself you will have no objections to my now answering them to you, not to him; for his conduct, both then and subsequently, to my wife, seems characterized by the greatest brutality. If you recollect, he asserted that I had called upon him with a Sheriff's officer before I came into this prison, to consult him as to the legality of the commitment; and that it was my intention to have defrauded the Sheriff's officer, if he had given me any encouragement. The fact is, I came unaccompanied from Preston (where I was arrested) by a Sheriff's officer to Lancaster, and the person who came with me to him was a boatman, not delegated by law; and conceiving the commitment to be irregular, I called upon him to know his opinion; when, after a *full and fair investigation*, it was pronounced regular by his sapient majesty—when I immediately surrendered myself. To those who know law, it is known, that being in execution (which I was for £.340. instead of £.1000. which he asserted, and which his father can testify) the moment I was escaped from the *bona fide* Sheriff's officer, that moment he, the Sheriff's officer, became liable to my plaintiff; and that Sheriff's officer, in law, became my plaintiff, had I refused coming into this prison. It was perfectly correct in my questioning the validity of the commitment, but was certainly my misfortune to fall into the hands of a man who knew nothing of law; for most undoubtedly, the legality considered, it was optional my surrendering myself. I believe you heard him also make some allusion to York; "That I was very well known there, and by the gentlemen of this neighbourhood." I never did disgrace myself at any place whatever, except in owing money, which of course is the cause of my being here; and when it is known by you, the fortune I have spent (and which I am sure he will never make) I think it will be admitted, that there are few people to be found who have contracted debts, that are more exempt from the imputation of criminality. If I should take the benefit of the Insolvent Act, the nature and the amount will then be known. I will, however, state to you, by your permission, what I possessed when I came of age: Cowling Hall, near Bedale, Yorkshire, I sold to Mr. Brown, of Portland Place, London, for twenty-three thousand five hundred pounds; Blackwell, near Darlington, Durham, for three thousand five hundred pounds; and Briscoe, near Bernard Castle, Durham, for three thousand pounds, to Mr. Hodgson, of Stapleton Park, Ferrybridge, Yorkshire. I was at the University of Cambridge (Trinity Hall), with Colonel Horton, who was here the other day upon the Grand Jury; after that I held a company in the North Militia for seven years; from marrying I thought it proper to resign. Since then I have resided in London, and always associated with gentlemen till I came here; and where I cannot recognize one either in the debtor, the gaoler, the deputy gaoler, or the gaoler's son. I leave it to your discrimination to appreciate the Higginites conduct towards me on Saturday; but it is a short triumph. I hope you will pardon this eclaircissement, and am,

With much respect, your obedient servant,

Mr. Thompson, Solicitor. *J. W. Wardell.*

Appendix, No. 15.

ORDER and Resolutions of the Committee of Magistrates appointed to manage the affairs relative to the improvement of Lancaster Castle, on a charge then preferred by some of the Debtors against the gaoler, approving of his conduct, 11th August 1807.

At a Meeting of the Committee appointed to manage the affairs relative to the improvements of Lancaster Castle, held in the said Castle the 11th day of August 1807;—

THE complaints of the debtor prisoners against Mr. Higgin being read, and also the report of the investigation of the same before the magistrates who attended upon that occasion; it is the unanimous sense of the Magistrates of the gaol committee now assembled, that the conduct of the prisoners has been highly improper, and contrary to the peaceable demeanor which should be observed in all prisons; and they are of opinion, and they do hereby order, that the county allowance be suspended and withdrawn from the prisoners who signed the letters of complaint against Mr. Higgin to the High Sheriff until further order.

ORDERED, That any three Magistrates, visitors of the said gaol, are hereby authorized to restore the county allowance to such of the debtor prisoners as shall shew sufficient contrition, and demean themselves in a suitable and peaceable manner.

RESOLVED, That after the most minute investigation of the complaints made against Mr. Higgin by the debtor prisoners, it is the unanimous sense of this meeting, that the whole of the charges are unfounded; and that the conduct of Mr. Higgin has been, throughout the whole, highly meritorious and truly consistent with his situation as keeper of Lancaster Castle.

Appendix, No. 16.

RESOLUTIONS of the Grand Jury also, approving of the conduct of the Gaoler, 12th August 1807.

GRAND JURY ROOM, August 12th 1807.

RESOLVED, That the Grand Jury, having fully inspected the Castle, and investigated the situation and comforts, as well as the regulation both of debtors and Crown prisoners, are unanimously of opinion, that the conduct of Mr. Higgin the gaoler is in every respect highly meritorious and correct.

RESOLVED, That the High Sheriff be requested to recommend to the Magistrates, to turn their attention towards the possibility of affording a larger portion of room to the debtors in the Castle, and of affording different apartments for them by night and by day.

Signed in the name of the Grand Jury,

STANLEY, Foreman.

Appendix, No. 17.

ORDER of the Magistrates, 13th August 1807.

At a Meeting of the Magistrates of the County Palatine of Lancaster, held at the Castle of Lancaster, the 13th August 1807,

THE Resolutions of the Grand Jury addressed to the High Sheriff, respecting the complaint of the debtor prisoners, and also recommending a larger portion of room to the debtors in the Castle, and of affording different apartments for them by night, as well as by day, being read, the Magistrates beg leave to express their thanks to the High Sheriff for communicating the same to them; and, having this day visited the gaol, and upon inspection and inquiry find, that there is not more than two prisoners to one bed, and that they have great reason to believe that the cause of the crowded state of the rooms, arises from a too great accommodation to the wives of the debtors; have, therefore, the more effectually to remove such inconvenience, and to accommodate the debtor prisoners with as much room as possible, ordered, that Mr. Higgin do cause to be immediately discontinued the using the news room or reading room as such, and that the same be appropriated and used as a lodging room, for the greater convenience of the said debtor prisoners.

Appendix, No. 18.

ORDER of the Magistrates for preventing Drunkenness in the Gaol, 31st August 1808.

At a Meeting of the Committee appointed to manage the affairs relative to the improvements of Lancaster Castle, held at the said Castle the 31st day of August 1808.

WHEREAS it appears to the Magistrates here assembled, that many of the debtor prisoners are addicted to habitual drunkenness and other dissolute and disorderly conduct, to the very great disturbance and annoyance of the more orderly and peaceable debtors, the Magistrates here assembled, in order to suppress such disorderly and improper conduct, do direct, that, in future, when any debtor prisoner shall be guilty of repeated drunkenness, he shall be immediately suspended from the county allowance of bread; and where any debtor shall be found selling liquor, or where any debtors shall be found permitting the sale or disposition of ale or liquors within their respective rooms, not only the persons buying and selling the same,

same, but also the prisoners inhabiting or living within such rooms, and permitting the same, shall be suspended from the county allowance. And it is further ordered, that no suspension shall be taken off, but by the order of two Magistrates, in writing, for that purpose directed to the County Treasurer. And it is ordered, that a copy hereof shall be put up in all the rooms of the said gaol, and in other parts thereof.

E. Gorst, Dep. C. P.

Appendix, No. 19.

LETTER from John Higgins, jun. to his Agent at Preston.

Chapman *agt.* Massey.—Cliffe, Hayes, *agt.* Norris, Esq.

Dear Sirs,

THESE persons are very poor, and unable to take the requisite means of obtaining their relief from prison.

May I request you, as an act of charity, to do the needful. Mr. Cross has frequently been so kind as to give the fees of office; I will undertake to pay the stamp duty, if you will inform me the amount.

Yours truly,

John Higgin, junr.

19th May 1812.

Addressed to Messrs. Shuttleworth & Hopkins, Solicitors, Preston.

Appendix, No. 20.

ACCOUNT of Annual Expenditure.

The County of Lancaster Account Current with the Treasurer, from the 27th June 1811, to 25th June 1812.

Dr.

	£.	s.	d.
To cash paid for prosecution of felons	5,626	9	4
conducting offenders to gaol	2,225	17	6
maintenance of militia men's families	7,157	5	7
improvements of Lancaster Castle	761	17	2
to coroners for taking inquisitions	1,140	19	10
for apprehending and passing vagrants	1,970	14	5
to corn inspectors	69	15	—
for the maintenance of prisoners in Lancaster Castle	1,992	14	8
repairs of Lancaster Castle	467	19	4
law expenses	512	—	—
inspecting weights and balances	92	7	8
conveying arms and accoutrements	57	8	3
repairs of bridges	143	13	3
salaries and sundry contingent expences	1,220	6	1
population orders	140	1	10
printing and stationary	15	—	1
Marshalsea and King's Bench exhibition money	2	2	—
surgeons salary and for medicines	136	7	4
To balance due the county	3,731	4	5
	£. 27,428	3	9

Cr.

1811.		£.	s.	d.
June 28.	By balance as per account settled	5,726	10	4
July	By four rolls issued in April	4,000	—	—
	By cash from Mr. Higgin for prisoners earnings	155	11	—
October	By four rolls issued in July	4,000	—	—
	By cash on account of Rolls in arrear	750	6	4
1812.	By cash from Receiver General for corn returns	89	5	—
January	By four rolls issued in October	4,000	—	—
April	By four rolls issued in January	4,000	—	—
	By cash for old materials	35	8	8
	By cash for fines for short weights	108	18	6
	By cash for the maintenance of militia men's families	4,562	3	11
		£. 27,428	3	9

Richd. Johnson, Treasurer.

Appendix, No. 21.

RETURNS of British Corn and Oatmeal bought in Lancaster Market, for the week ending 8th August 1812.

—	Loads.	Amount.	Average per Load.	Average per Quarter.	Per Bushel Winchester.	Per Bushel 57 Pounds.
		£. s. d.	£. s. d.	£. s. d.		£. s. d.
Wheat - -	87	415 17 6	4 15 7	8 9 11	- - -	— 19 5½
Oats - - -	—	—	—	—	—	—
Beans - -	—	—	—	—	—	—
Oatmeal -	34 Windles.	148 14 —	4 7 5½ per Windle.	- - -	- - -	Per Boll. 2 11 —
Barley - -	—	—	—	—	—	—

Thomas Darwin, Inspector.

Appendix, No. 22.

STATUTE Weight of BREAD.

Borough of Lancaster, to wit; the 8th day of August 1812.

The Statute Weight of Bread.

The Price of the Measure and baking 21s.	The Penny Loaf,			Twopenny Loaf.		
	White.	Wheaten.	Household.	White.	Wheaten.	Household.
	oz. drs.	oz. drs.	oz. drs.	lb. oz. drs.	lb. oz. drs.	lb. oz. drs.
	- - -	2 14	3 14	- - -	— 5 12	— 7 11

	Sixpenny Loaf,		Twelvepenny Loaf,		Eighteenpenny Loaf,	
	Wheaten.	Household.	Wheaten.	Household.	Wheaten.	Household.
	lb. oz. drs.	lb. oz. drs.	lb. oz. drs.	lb. oz. drs.	lb. oz. drs.	lb. oz. drs.
	1 1 6	1 7 2	2 2 12	2 14 5	3 4 2	4 5 8

N. B.—No loaf to be sold otherwise than what is marked for, on pain of forfeiting the penalty made in that case; and Mr. Mayor gives the bread bakers this particular notice, that he will frequently weigh their bread, and if it be found wanting in weight, it will not only be forfeited, but the fine will certainly be levied.

Appendix, No. 23.

ORDER for County Allowance.

Lancashire, to wit.—We whose names are hereunto subscribed, being two of His Majesty's Justices of the Peace acting in and for the said county, do order you to pay unto Robert M'Williams, late of Manchester in the said county, but now a poor prisoner for debt in His Majesty's gaol, the Castle of Lancaster, the sum of one shilling weekly, and every week during his confinement, or until further orders to the contrary.

Given under our hands this 18th June 1812.

W. R. Hay.—Robt Teilden.

To the Treasurer of the said County.

Appendix, No. 24.

REPRESENTATION from the Keeper to the Magistrates, of the disorderly conduct of certain Debtors, for the purpose of the County Allowance being withdrawn from them.

To the Magistrates for the County of Lancaster.

THE Keeper of Lancaster Castle begs leave to inform the worshipful the Magistrates, that John Spencer and John Unthank, debtors, who receive the county allowance, have been

guilty of riotous and disorderly conduct during the last week. As witness my hand, this 21st day of December 1811.

John Higgin.

Appendix, No. 25.

ORDER to suspend the County Allowance.

LANCASHIRE, to wit.—We whose names are hereunto subscribed, being two of His Majesty's Justices of the Peace acting in and for the said county, do order you to suspend the county allowance granted to the undermentioned debtors; viz. William Goulden, William Barton, Thomas Freeman, Samuel Wilde, Thomas Taylor, James Brereton, Thomas Graham, Samuel Frodsham, Benjamin Bennett, Thomas Fell, Robert Aspinwall, William Jones, John Willcock, John Eyres, for selling and permitting the sale of ale. As witness our hands, this 11th day of April 1812.

To the Treasurer of the said County.
These.

James Stainbank.—Thos Clarkson.

Appendix, No. 26.

LETTER from certain Debtors to the Keeper of the Gaol, acknowledging their fault, and soliciting his interference to procure a restoration of the County Allowance.

Mr. John Higgin, sen.

Sir, April 24th 1812.

WE whose names are hereunto subscribed, humbly beg leave to address you on a subject that nearly concerns us, by the suspension of our allowance of bread, which has been suspended on account of beer being sold in a room which we inhabit, called the Quaker's room; and although we were put to great inconvenience by the pernicious practice of ale-selling, in respect of the repose and cleanliness which is the result of sobriety and temperance, and yet fully convinced of this truth, we have acted contrary both to the rules and good order in the Castle, of which we have daily experienced by your kind admonition to temperance and good order; and we hereby humbly request you will lay our petition before the Magistrates; and that they would be pleased to order our bread to be restored to us; and that they would not consider us as having acted from motives subversive of those good regulations, but from fear of frequent insult in the room where we are to abide sometime, by acting the part of an informer: this has been our crime; and, on this conviction on our minds, we hope you will intercede on our behalf. And your petitioners, as in duty bound, will ever pray.

N. B. We have had no beer sold in the room since the suspension of our bread; and, in future, are determined not to suffer any such practice whilst our stay here.

Saml Wilde.—Thomas Trueman.—Thos Taylor.—Wm Barton.

"The county allowance may be restored to the within-named petitioners."
25th April 1812. JAMES STAINBANK.—JOHN BRADSHAW.

Appendix, No. 27.

PETITION to the Magistrates from certain Debtors whose Allowance had been withdrawn, praying to have it restored, and Order to restore the same.

To the Justices of the Peace for the County of Lancaster.

Gentlemen, Lancaster Castle, 24th April 1812.

WE the unfortunate debtors and members in the long room, with respect approach your persons in your dignified situations, to represent to you the hardships we suffer for the want of the county allowance, which you in your wisdom were pleased to suspend for permitting ale to be sold in our room.

Your petitioners beg leave to state to you how much they regret, that from such an acquiescence they should incur your displeasure, or any other person in power. Your petitioners, sensible of the error they have committed, beg to assure you that their future conduct will be, to oppose all such proceedings; yet your petitioners cannot help but to inform you, that though they suffered great inconvenience, none of them could descend to become an informer; for a character of that description is held contemptible.

Your petitioners beg, with the most profound truth, to inform you, that they are supported scantily by their friends; all of whom feel it a heavy burthen to perform that necessary duty, owing to the pressure of the times.

Your petitioners, therefore, will be thankful if you will be pleased, in your humanity, to restore to them their usual allowances; yet, should they not meet with your clemency, they bow with all respect.

Your petitioners are in duty bound to pray.

Thos Graham.—Wm Jones.—Thos Fell.—Saml Frodsham.—John Wilcock.—John Eyres his X mark).—*Robt Aspinwall.*

"The county allowance may be restored to the within-named petitioners."
25th April 1812. JAMES STAINBANK.—JOHN BRADSHAW.

Appendix, No. 28.

LETTER from certain Debtors to the Keeper.

Lancaster Castle, 1st June 1812.

Sir,

BEING informed that individuals confined in this gaol, have thought proper to prefer charges against you in your quality of keeper, a general meeting of the debtors was called, agreeable to the enclosed placard, for the purpose of declaring their general sense of your conduct, lest it should be imagined that the malignant acts of a few were those of the whole yard.

We beg permission to enclose you the Resolutions, signed by 114 persons; which were carried without a single dissentient voice, and almost by acclamation.

These Resolutions you will be pleased to employ, as circumstances and your own discretion may direct.

Excited solely by the justice of the cause, and an abhorrence of the dark, silent, insidious, and cowardly means by which this nefarious business has been conducted, we shall be highly gratified if these our unanimous declarations are in the slightest degree satisfactory to you.

We have the honour to be, Sir,
Your obliged and most obedient servants,
William Rothwell.—Thos Fell.—William Morrell.
Jas Livesey.—Richd Foster.

To John Higgin, Esq.

Appendix, No. 29.

REQUISITION for a General Meeting of the Debtors.

Lancaster Castle, 1st June 1812.

WE the undersigned, being informed that charges have been preferred by a few individuals against Mr. Higgin, the keeper of this gaol, for misconduct in the execution of his office, earnestly request a general meeting of the debtors, at four o'clock this day, to form Resolutions declaratory of their sense of Mr. Higgin's conduct; and of their condemnation of the clandestine and malignant motives which have given birth to such charges.

Thos Fell.—Willm Rothwell.—Wm Jones.—Jas Livesey.—John Duxbury.—John Worsley.—Thos Graham.—Wm Barton.—Wm Monck.—Saml Wilde.—Geo. Napper.—Rd Foster.

Appendix, No. 30.

RESOLUTIONS, signed by 114 Debtors.

Lancaster Castle, 1st June 1812.

IT having become known, that some charges have been preferred against Mr. Jno Higgin, in his quality of keeper of this gaol; in order that the complaints of those two or three persons may not be mistaken for the sense of the numerous debtors confined in this prison, a general meeting of the said debtors has this day been held, at which the following Resolutions were unanimously passed:

First.—That certain individuals having preferred complaints to the High Sheriff of this county, regarding the conduct of Mr. John Higgin, in the discharge of his duty as the keeper of this gaol; we hereby declare, that we do not give our countenance or support to such charges.

Secondly.—That we consider the heads of such charges, so far as they have become known to us, to be frivolous and vexatious in their nature and malignant in their object; by reason of being made to the Sheriff before any remonstrance had been made to Mr. Higgin, from which he might correct what the complainants consider erroneous in his conduct.

Thirdly.—That we consider those persons who have deemed it necessary to make those charges, to be under obligations to Mr. Higgin for the extraordinary accommodation he has afforded them during confinement; which was not curtailed till the great influx of debtors rendered it a measure of indispensable necessity.

Fourthly.—That understanding one of these charges to be, that Mr. Higgin does not visit each particular room for the purpose of ascertaining the degree of comfort enjoyed by the debtors, we feel it incumbent on us to declare, that so far from viewing it as a subject of reproach we consider it an act of liberality on the part of Mr. Higgin; for the continual visits of the governor of a prison, would have the effect only of introducing an inquisition into the private life of the debtors, tending to aggravate the miseries of confinement.

Fifthly.—That we can perceive no injustice on the part of Mr. Higgin, in sending debtors after commitment, to such parts of the Castle where there are vacancies; the present crowded state of the gaol rendering it a matter of necessity, independent of the injurious effects likely to result from any thing like distinction in the treatment of the prisoners.

Sixthly.—That we are happy to bear testimony to the readiness with which Mr. Higgin affords his advice and assistance to every one, either as to the regulation of his conduct in confinement, or generally, on his affairs; but we are likewise of opinion, if Mr. Higgin were

to

to take cognizance of all the petty bickerings that occur amongst so great a number of persons, it would occupy the whole of the time to be devoted to the higher and more essential points of his duty.

Seventhly.—That we recognize in the conduct of Mr. Higgin, an anxious solicitude to combine the great objects of his duty with the indulgence to be granted to persons placed in our unfortunate situation; and we conceive his conduct to be so strongly marked with humanity, as to render a comparison of this with many other county gaols, an insult to his character.

Eighthly.—That we are excited to these Resolutions solely by the obvious justice of the case, in which no motives of interest are mingled: we hope for nothing from Mr. Higgin; we wish for nothing from him beyond what falls to our lot in his regulation of the internal economy of this gaol.

Ninthly.—That, though we are reduced to the condition of prisoners for debt, we are not so far divested of the feelings of humanity, as to refrain from this the expression of our hatred and detestation of charges dark, silent, insidious and assassin-like, made without the knowledge of the accused, who has faithfully discharged the duties of his office, to the advantage of the county and the comfort of the prisoner, for upwards of thirty years.

Will^m Wrothwell,—John Cowper,—Tho^s Fell,—Tho^s Graham,—Jn^o Green,—Ja^s Unsworth,—Will^m Worthington,—Geo. Napper,—Matt^w Clare,—John Buchall,—Tho^s Wilding,—Jos^h Heppard,—Sam^l Winton,—Rob^t Aspinwall,—Sam^l Wilde,—John Penington,—W^m Aspinwall,—W^m Jones,—Ja^s Rodgers,—Edm^d Salisbury,—Matt^w Thompson,—Cha^s Amsworth,—Rob^t Wright,—Tho^s Ogle,—John Higginson,—John Derbyshire,—John Worsley,—George Cowley,—Ab^m Moore,—James Walker,—John Warrington,—W^m Barton,—Ja^s Lees,—Ja^s Fallows,—B. Blinkhorn,—Edmund Haworth,—W^m Johnstone,—Will^m Morrall,—Cha^s Tatlock,—James Bamford,—W^m Downall,—Sam^l Seddon,—R^d Massey,—W^m Parkinson,—Jn^o Ramsbottom,—Solomon Kershaw,—Moses Bargeley,—Rich^d Forster,—Jenkin Davis,—John Harrop,—John Eyres,—James Pilling,—Ja^s Brereton,—Tho^s Bowker,—Ja^s Livesey,—Ormerod Dearden,—Jn^o Summers,—Leon^d Ractan,—Ja^s Davenport,—John Shaw,—Thomas Webster,—Henry Pilkington,—John Westher,—Jn^o Richardson,—W^m Golden,—Luke Heathcote,—John Wilcock,—Henry Hartley,—John Gledhill,—John Happer,—Sam^l Frodsham,—Jn^o Kaye,—Ralph Swindel,—John Richardson,—William Colebourn,—Kenneth W. Thompson,—James Green,—John Ramsden,—James Pearson,—Sam^l Shaw,—Richard Dearman,—George Rawlinson,—Stephen Burton,—Tho^s Trueman,—John Duxbury,—Tho^s Rishton,—John Laurenson,—Tho^s Hawton,—Thomas Oakley,—James Wright,—R. Denny,—John Hardacre,—John Wilson,—Jo^s Joynson,—Edw^d Wickle,—Joseph Travis,—Thomas Batho,—James Isherwood,—Robert Mather,—James Drummond,—Caston Webster,—Geo. Collier,—James Heys,—John Garside,—Will^m Duckworth,—Thomas Taylor,—Will^m Jackson,—A. Jackson,—John Linsay,—John Hulme,—John Donbavand,—Tho^s Lightowler,—Joseph Hulme,—Jo^s Dickinson.

Appendix, No. 31.

PETITION of Samuel Scuffum, to the House of Commons.

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

The humble Petition of Samuel Scuffum, a prisoner confined for debt in the Castle of Lancaster,

Humbly sheweth,

THAT your petitioner was committed on or about the 17th day of October 1811, to the Castle of Lancaster aforesaid, under the charge of John Higgin, the gaoler thereof. That on Thursday the 24th of the same month, your petitioner went to the interior gate to enquire if Mr. Stanton (a comedian) had called upon your petitioner, when he was informed by John Clarke, one of the turnkeys, in the negative; and the said turnkey desired your petitioner to go about his business, and not to come within the iron railing leading to the first gate, (there being two in number;) your petitioner answered, that he was a stranger to the rules of the Castle, and was sorry he had transgressed them. That on Friday the 25th day of October, the gaoler sent for your petitioner, in consequence of the said turnkey having falsely represented to him, that your petitioner wanted to make his escape, and accosted your petitioner in the following manner: "You scoundrel you wanted to take me in for £.148. 11s." Your petitioner replied, he did not know what reason he (the gaoler) had to assert such a thing, and that if he had transgressed, it was innocently done; and was willing to take his oath of the truth of his assertion, which the gaoler was not satisfied with, and added, that your petitioner was not within taking a false oath, and that his character was represented to him as such; your petitioner replied, he could produce a good character from the Sheriffs officer who arrested him, and who even had so much confidence in him, as to allow him to come unattended to prison, a distance of 53 miles. That the gaoler ordered the standard to take his height, and also that your petitioner should take off all his cloaths to examine as to marks upon his body, and which is only done to felons, which your petitioner refused to do; and the gaoler informed your petitioner he would iron him if he did

did not comply. Your petitioner then put on his hat to go out of the office, when the gaoler called him back and said "Pull off your hat Sir," which your petitioner refused to do. In consequence of which the gaoler called the turnkey, and ordered him to closely confine your petitioner in one of the cells. When your petitioner was conducted to the cell by the said turnkey, your petitioner asked him how he could make such a false assertion to the goaler, when the said turnkey pushed your petitioner into a cell where there was no bed, and where convicts are put, and locked your petitioner in; where your petitioner was confined three days and two nights. At the time your petitioner first entered the cell, there was a fire to air the blankets of criminals, after that was extinguished on Friday the 25th day of October last, your petitioner was not allowed any more; your petitioner feeling very cold, asked the turnkey for fuel, who refused the same, and told your petitioner he might roll himself up in the blankets. Your petitioner remained all Saturday, and till late on Sunday evening, without fire or candles; when a brother debtor hearing of your petitioner's situation, brought him coal and candle and his great coat, and told the turnkey to take them to your petitioner, or he would write to the Mayor of the town. That on Friday morning the 25th day of October, your petitioner received a letter from Mr. Daniel, a respectable attorney in Manchester, on particular business, which required an immediate answer; and requested pen, ink, and paper to answer the letter, which was refused. On Saturday the 26th day of October last, the said Mr. Stanton called upon your petitioner, and was refused access to him; and, on the same evening, Mrs. Clementson, a laundress, called upon your petitioner, and was refused admittance to bring him clean linen. That your petitioner addressed a letter to the gaoler on Sunday morning the 27th of the same month, threatening to make a complaint of his cruel usage, to the Mayor. That the gaoler called upon your petitioner on Sunday evening, about seven o'clock, and said he had received the letter of your petitioner, and thought it a great piece of presumption in your petitioner to threaten to write to the Mayor; to which your petitioner replied, his situation compelled him to seek redress; and your petitioner believes this circumstance to have been the cause of his ultimate release. The gaoler then said, that the Mayor could be of no service to your petitioner, as he (the gaoler) had it in his power to put your petitioner in irons, and turn him into the yard.

That the good character of your petitioner suffered severely from being so cruelly treated, as some of his best friends received an unfavourable impression as to the cause of his having been thus disgraced.

That your petitioner, prior to his confinement as aforesaid, was a respectable innkeeper in Manchester, and of unblemished character, and therefore humbly submits to your honourable House, that the gaoler was not justifiable in the above treatment to your petitioner, without the interference of a Magistrate; but inasmuch as your petitioner is unable to defray the expense of seeking redress at law, and has no other refuge but in the justice and humanity of your honourable House; from which your petitioner hopes for such redress as to your wisdom shall seem meet.

And your petitioner, as in duty bound, shall ever pray.

Witness, *Samuel Scuffum.*
J. W. Wardell.

Appendix, No. 32.

PETITION of William Goulden, to the House of Commons.

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

The humble petition of William Goulden, now a debtor confined in His Majesty's Gaol, the Castle of Lancaster,

Sheweth,

THAT your petitioner, William Goulden, is now a debtor in the said gaol, and that the plaintiff of your petitioner not having followed up his due course in law, your petitioner was entitled to his discharge, by issuing a writ of supersedeas, as an indemnity to the gaoler, to discharge your petitioner. That your petitioner being poor, and in indigent circumstances, was not able to procure the necessary expenses which it is usual to pay for the said writ, applied to a person to make an application to the society of the Thatched House, for the relief of insolvent debtors; and that your petitioner, in consequence of that application, was informed by the said gaoler, that an authority for five pounds had been sent to him from that society, in order to defray the necessary expenses.

That your petitioner most humbly begs to represent to your honourable House, that he was asked by the gaoler what person had transacted his business before, as far as relates to the action which your petitioner is confined for; to which question your petitioner answered, that a person of the name of Parsons had done it for a small sum of money; in consequence of which answer, the said gaoler informed him, that as he had employed him (Parsons) to transact that part of the busines, he should not supersede for him.

That your petitioner is aware upon what grounds the said gaoler refused him such relief, although not authorized; because the son of the said gaoler is an attorney, and usually transacts business for the debtors in the said prison; and that in consequence of your petitioner not having employed the son of the said gaoler to transact the other part of the business, he your petitioner humbly conceives it was upon that ground alone that such refusal was made, as your petitioner is not aware that he is not entitled to such relief from any other motive.

That your petitioner humbly begs to represent to your honourable House, that he was summoned before the Magistrates of the said county, to give his testimony, as to the matter which your petitioner has before stated; and that your petitioner gave his evidence upon the said matter upon oath, and that the same was admitted by the said gaoler before the said magistrates; and that your petitioner, in consequence of asserting the truth of the said circumstances, has nevertheless been deprived of the county allowance of bread and potatoes, and has nothing to support himself upon but what he derives from the humanity of his brother debtors.

That your petitioner humbly submits, that such oppressive measures on the part of the Magistracy must render any future testimony, that bears against the gaoler, futile; as a great proportion of the debtors have no other means of subsistence, and, for the sake of doing a public good, will not risk the loss of their only sustenance.

And your petitioner humbly craves redress, such as to your honourable House in your wisdom shall seem meet; and, as in duty bound, will ever pray.

Witness, *William Goulden.*
Wm Mallalieu.

Appendix, No. 33.

PETITION of George Tengatt, to The House of Commons.

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

The humble Petition of George Tengatt, now a Debtor confined in His Majesty's Gaol, the Castle of Lancaster,

Sheweth,

THAT your petitioner was summoned as an evidence before the Magistrates of the county of Lancaster, on the sixth day of June one thousand eight hundred and twelve, as to what James Heys, late a prisoner for debt, had said to a brother debtor respecting the gaoler; which said James Heys was then entitled to his discharge, by issuing a writ of supersedeas. That your petitioner was informed by the said James Heys, that the gaoler would not supersede for him, in consequence of his having employed a person of the name of Parsons to transact such part of the law as is necessary before a debtor is entitled to a writ of supersedeas. That your petitioner informed the said James Heys, that he would prevail upon a person to write for him to the Thatched House Society for relief of debtors, for so much money as would be necessary to defray such expenses; according to your petitioner's promise, he requested a brother debtor to write for him to the said society, who did; but, in the mean time, the said gaoler, having been informed that such application was made, immediately superseded for him.

That your petitioner's evidence went only to prove the authority which the said James Heys had given to his brother debtor, to write for him to the said society. That your petitioner, in consequence of asserting upon oath the matters before stated, has been deprived of the county allowance of bread and potatoes, which constituted the chief part of your petitioner's support.

That your petitioner humbly submits to your honourable House, that such arbitrary and oppressive measures are not consonant to justice or humanity; and that if the testimony of a debtor, founded in truth (but whose testimony is inimical to the gaoler) is to suffer those excruciating penalties in the privation of that sustenance, which is so liberally afforded by the county to him, it will ultimately introduce a system of oppression totally incompatible with the humanity of British judicature. And your petitioner hopes your honourable House will grant him such relief, as to your wisdom shall seem meet.

And, as in duty bound, will ever pray.

Witness, *George Tengatt.*
James Mallalieu.

Appendix, No. 34.

PETITION of John Hankin, to The House of Commons.

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

The humble Petition of John Hankin, now a Debtor confined in His Majesty's Gaol, the Castle of Lancaster,

Sheweth,

THAT your petitioner was, on the sixth day of June one thousand eight hundred and twelve, summoned before the Magistrates for the county of Lancaster, as an evidence upon a charge preferred against the gaoler, John Higgin, for suffering human excrement to lay in the yard of the said prison for an unnecessary length of time. That your petitioner humbly begs to represent to your honourable House, that the testimony of your petitioner went only to shew, that it was a great nuisance; as many prisoners could not bear to walk in the yard, or even have the windows of their apartments open (though much crowded with prisoners) for the greatest part of four days.

That

That your petitioner, and other reputable witnesses proved, that the said human excrement was extremely noxious and prejudicial to the health of the prisoners, and consequently a nuisance; that your petitioner never knew the removal of human excrement to have been so long neglected, and that the same quantity might have been removed in one day, as usual heretofore.

That your petitioner, in consequence of asserting the truth (of the before-mentioned matter) upon oath before the said magistrates, has been deprived of the county allowance of bread and potatoes, which constituted the chief part of your petitioner's support.

That your petitioner humbly conceives, that the adoption of such unprecedented conduct must deter any witness from giving evidence upon any subject that may hereafter be brought forward against the said gaoler, and there can be no safety in a place where such authority is exercised; and that it must effectually crush any attempt at redress of the many grievances existing in this prison. That your petitioner begs leave to refer your honourable House to the depositions taken before the Magistrates, and which your petitioner is ready at any future period to verify upon oath; which he trusts, as soon as your honourable House shall be in possession of, will convince your honourable House of the purity of his evidence, and the peculiar hardship of his case: and your petitioner humbly craves redress, such as to your honourable House in your wisdom shall seem meet.

And, as in duty bound, will ever pray,

Witness, *Wm Mallalieu.* *John Hankin.*

Appendix, No. 35.

LETTER from J. W. Wardell to the Commissioners; suggesting additional Evidence to be taken relative to the death of Thomas Rawlinson.

Gentlemen,

IF you have not terminated the investigation as to Rawlinson; with every deference, I should wish to suggest your taking the viva voce evidence of Goulden and Unthank, (debtors.) I apprehend there may transpire a stronger evidence from them than what I submitted in writing. Perhaps you may also think it right to examine Birch's grandson as to the manner in which Rawlinson was found dead, as he was the first, I understand, who entered the tower after that event; and as this boy has mentioned, particularly to Rogers (a debtor) that he was so ironed as to be unable to get his hands up to his head, it cannot but appear mysterious he should have strangled himself. I am apprehensive Wright and Dickinson may not have told you the number of blows they counted being inflicted upon Rawlinson, as it appears to me they have been tampered with. I did not think proper to insert Mrs. Wardell's name, when I had the honour of seeing you yesterday, as an evidence to what Cooper had said in locking up our rooms in the evening; but if the investigation is not disposed of, she can have no objection to confirm Cooper's observations at that time. I have the honour to be,

To the Hon^ble^ Commissioners investigating the business at Lancaster Castle.

Y^r^ ob^t^ h^ble^ serv^t^,

J. W. Wardell.

Appendix, No. 36.

LETTER from J. W. Wardell, to Henry Parsons, dated 20th August 1812.

Dear Sir, Lancaster Castle, 20th August 1812.

IT is not my province to ask favours, but facts; and when I am *officially* authorized to ask them, it is perfectly right and just that the person who confers them, should be both indemnified from harm, and remunerated if his finances required it. You are no stranger, I presume, to the length of time the commission presided at the Castle, and their communication to Government cannot transpire before November, when parliament, it is supposed, will meet: that their investigation comprised a sufficient quantity of matter, is amply testified from the duration of their sittings. And that I was actuated by nothing but a public principle, I dare say you will give credence to, when I assure you, that nothing could have induced me to have undertaken so augean a labour if I had not thought humanity demanded it; and no person but him who has been immured, can possibly be a judge of the grievances of a prison. Fifteen months *servitude* ought to be a satisfactory certificate of my ability to judge of our gaoler's conduct. The commissioners, I can assure you, have done this prison justice; and I have more reason to know their opinion of the administration of the gaoler, than any one who attended them, as they spoke to me *confidentially*, and I had four interviews. That upstart ass, Thom Higgin, may thank me for my clemency; I will give you the fact as it occurred. In my returning from court, Thom H. thought proper to say, "When you get out of prison, I will pull your nose." I took no notice, but wrote to the commission; they summoned the young fool, and told him, they should commit him for an insult to them, in molesting me in my intercourse with them. He shed tears, and said he was ready to beg my pardon in their presence, if they would send for me. I was accordingly sent for; and as soon as they narrated the circumstance of his having shed tears, and his contrition, I agreed to dispense with a personal apology, though they urged me strongly to let him come before me. I was generous to a prostrate enemy. Would the family of Higgins have acted so? Not they.—To come to the point. You lived as turnkey some time here; I have *an authority* to offer you a very

very *considerable sum*, if you will disclose certain communications touching the Crown side, and which will be remitted you at a moment's notice, and an additional assurance of *Government*, indemnifying you from any *inconvenience*. I speak *officially*; and as the sum would be an object to your family, I think it is worthy your best consideration. I have further to add, that your communication cannot transpire, as it will only be sealed up, and not even personally given.

Mr. Parsons,
favour of Mrs. Unthank.

Your well wisher,
J. W. Wardell.

Appendix, No. 37.

AFFIDAVIT of Henry Parsons and Thomas Thompson, relating to said Letter.

Henry Parsons, of Lancaster, in the county of Lancaster, broker; and Thomas Thompson, of the same place, gentleman; severally make oath and say: and first this deponent, Henry Parsons, maketh oath and saith, That he was employed by Mr. Higgin as the head turnkey at the outer gates of Lancaster Castle, and afterwards was engaged as superintendant of the cotton manufactory, carried on in the criminal side of the said prison; that after this deponent had left the employ of the said Mr. Higgin; videlicet, on the 20th day of August last past, at about nine o'clock in the evening, Mrs. Unthank, the wife of John Unthank, then and now a prisoner for debt in his Majesty's gaol the Castle of Lancaster, came to the house of this deponent, in the town of Lancaster, and delivered to him personally a letter, signed "J. W. Wardell," dated "Lancaster Castle, 20th August 1812," and contained in an envelope, addressed as follows: "Mr. Parsons, favour of Mrs. Unthank," and which letter and envelope are hereunto annexed. That the said Jacob Wilson Wardell then was a prisoner for debt confined in the said Castle. That this deponent, having read the said letter, addressed the said Mrs. Unthank as follows: "During my intercourse with the "Castle, I can say nothing of Mr. Higgin but what will redound to his credit; he is a very "humane man, and as a proof of which, I have been the agent of his humanity when in his "service, by relieving debtors that appeared deserving objects of distress. As to matters "touching the Crown side, I know nothing improper."—And this deponent also observed, that if Mr. Wardell had any questions to ask, he might send them down by Mrs. Unthank; but which he did not think proper to do. That during the three following days, nothing transpired on the subject of the said letter. Mrs. Unthank then brought a message from Mr. Wardell, stating, that he (Mr. Wardell) hoped I would not make an improper use of the letter. And this deponent, Thomas Thompson, maketh oath and saith, That he hath seen the said Jacob Wilson Wardell, lately a prisoner for debt in the said Castle of Lancaster, write, and that the said letter hereunto annexed is, as this deponent Thomas Thompson believes, in the hand-writing of the said Jacob Wilson Wardell, and that the superscription, "Mr. Parsons, favour of Mrs. Unthank," on the envelope of the said letter, is also, as this deponent Thomas Thompson believes, the hand-writing of the said Jacob Wilson Wardell.

Sworn at Lancaster, in the County of Lancaster, by the said deponents, Henry Parsons and Thomas Thompson, the twenty-fourth day of October one thousand eight hundred and twelve, before me,

Henry Parsons.
Thomas Thompson.

John Bradshaw,
One of His Majesty's Justices of the Peace for the County of Lancaster.

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THE REPORT

OF THE

COMMISSIONERS

Appointed to

Enquire into the Condition and Treatment of Prisoners confined in *Lincoln Castle*; and the Conduct and Management of the said Prison.

Ordered, by The House of Commons, *to be printed,*
4 *December* 1812.

THE REPORT - - - - - - - - pp. 3 to 18.
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REPORT.

TO THE KING'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY,

IN obedience to the directions contained in Your MAJESTY's Commission, bearing date the tenth day of August last, whereby,—after stating that the Knights, Citizens and Burgesses, and Commissioners of Shires and Boroughs, in the Parliament of The United Kingdom of Great Britain and Ireland assembled, had presented an humble Address to Your Majesty, requesting that Your Majesty would be graciously pleased to direct that a Commission be issued, to enquire into what has been, and now is, the condition and treatment of Prisoners confined in *Lincoln Castle*, and the conduct and management of the said Prison;—Your Majesty was pleased to authorize and appoint us, whose names are hereunto subscribed, to make a diligent and strict enquiry into the matters referred to by the above-mentioned Address; and to report to Your Majesty whether any, and what abuses have existed, or do exist, in the management of the said Prison, and of the Prisoners confined therein, and what remedies have been adopted, or may now properly be applied thereto, and what regulations or provisions may be necessary or proper for the better management of the said prison, and of the prisoners confined therein, and for the prevention of abuses therein in future;—WE beg leave humbly to represent to Your Majesty, that we repaired forthwith to the city of Lincoln; where we arrived on Tuesday the eleventh day of August, and directed immediate notice to be given, that we proposed to open the Commission on the ensuing day. Appendix (A.) (A. 2.)

On Wednesday the twelfth day of August, we attended at the Assize Hall, in Lincoln Castle; where Your Majesty's Commission was opened and read, in the presence and hearing of the Gaoler, and other officers and attendants employed in the said Prison, and of several of the prisoners at the suit of the Crown, as well as of debtors confined in the said gaol, and of such other persons as were induced to be present.

In order to give due effect to Your Majesty's Commission, we directed a suitable Notice to be affixed to the Castle gates, intimating Your Majesty's gracious purpose, and apprizing all persons desirous of preferring any complaint, or offering any matter touching the objects of the Commission, that, by appearing forthwith, they might be enabled so to do: And we likewise issued an Order to the gaoler to admit all persons who might be desirous of making any application or communication to us, during our sitting under Your Majesty's Commission. (A. 3.) (A. 4.)

Having taken these preparatory steps, we deemed it most advisable to begin our proceedings by a general examination of every individual confined in the gaol, and in personally inspecting every part of the prison; in order that while we should be so employed, those who were desirous of preferring special complaints, might have time sufficient to prepare the same.

Mr. *John Merryweather*, keeper of the Castle, was called upon to furnish us with a calendar of all the prisoners in his custody, containing the usual specifications; which he produced accordingly. (A. 5.)

The number of persons in custody were fifty-seven debtors, and fifteen Crown prisoners: of whom, eight were under sentence of transportation, five under-sentence of imprisonment, and two committed for trial; the one, on a charge of forgery, the other, charged with the murder of her bastard child.

Being supplied with such calendar, we proceeded to examine every person in custody, directing that the prisoners should be brought before us in separate classes, consisting of six persons, until the whole number should be exhausted: To each of these classes, the gracious purpose and objects of Your Majesty's Commission were opened, and explained; and in order that our examination might be efficient, and conducted without restraint, or cause of intimidation, on the part of the prisoners, the gaoler and turnkeys were directed to withdraw, and remain apart; and each prisoner (with the exception of Thomas Newton, a lunatic, whom we afterwards visited in his cell, and Ann Bennet, who was unable from sickness to attend) came individually and separately before Your Majesty's Commissioners, uninfluenced by the presence of any other person; and was distinctly questioned, whether he had any complaint to make, respecting his condition and treatment from the gaoler, or respecting the conduct and management of the gaol.

Appendix (A. 6.)

From the result of these examinations, which, together with other materials and documents, are subjoined in an Appendix, which we humbly pray may be accepted as part of our Report, it appears that there is not a single charge of cruelty or inhumanity brought against the Gaoler by any one of the seventy-two persons now in confinement. Some complain of incivility; others, that their friends are not allowed to see them as often as they wish: some, that their wives are allowed to visit them only four hours a day; one, for being locked up one hour in the day; some, that they have not been paid for their labour; some complain of paying one shilling a week for a chair; some, that the rooms are occasionally too much crowded.—The chief complaint is, a want of attention to the Sick, it being the usage of the gaol to apply for the apothecary through the medium of the caterer or market-woman.

(A. 7.)

Most of these complaints (with the exception of that respecting Medical Assistance, on which we propose to offer some suggestions hereafter) are answered by the gaoler, by referring to the regulations and authorized discipline of the gaol, and by evidence, that the others are ill-founded.

(T.)

Having gone through these examinations, we proceeded to visit the prison and gaoler's dwelling-house, and personally inspected every ward, cell, room, and apartment in each respectively; and have procured, and subjoined in the Appendix, a Ground Plot of the area of the Castle, together with a Plan of the entire edifice, and distribution of the several parts thereof, with an enumeration of the same, and the purposes for which they are severally used. This inspection being completed, we proposed, from motives of respect to the honourable House, in consequence of whose Address, Your Majesty was pleased to issue the present Commission, to take first into our consideration the Petition of *Thomas Holden*, of Spilsby, and for that purpose we had sent an early summons for his attendance; but on being informed that the magistrate, whose conduct is principally impeached by the allegations contained in the said petition, was absent on a visit in a far distant county, it was thought expedient to direct that a notice should be transmitted to him; and to postpone the examination of Holden's case until the said magistrate should return.

(B)

The first person who voluntarily appeared, was *William Dawber*, of Newland, in Lincoln, corn-factor, a freeholder of the county; who stated, that he had serious complaints to make against the gaoler:—"That all the partitions on the south side of "the area of the prison, have been made within these ten or twelve years:—That those "who do the most work for the least money, are the gaoler's favourites:—That the "governor raises a good deal of fruit; and that, as he believes, makes presents to the "judges, when they come in the summer, and to the justices:—That the County Hall "used to be kept open in assize time; you must now pay for admission into the gallery; "that he has paid the gaoler's servant for admission; that the magistrates take up a "great part of the Hall."

Mr. *Robert Marris*, a prisoner for debt, to a very considerable amount, by profession an attorney, stated, that he had many grievous complaints to make against the gaoler, for repeated acts of cruelty to others. That the charges on which he meant to proceed, were contained in a series of Drakard's Stamford Newspaper; and that he would readily put his signature to them. He was directed to reduce the principal charges

charges into writing, and informed, that the Commissioners would select such cases as they should deem to be most important, and issue notices for the parties to attend.

George Langton, Esquire, one of Your Majesty's justices of the peace for the Parts of Lindsey, and Mr. *Peter Finnerty*, lately a prisoner in Lincoln Castle, for a misdemeanour, attended; and stated, they had charges to prefer against certain of the magistrates, and against the gaoler. Mr. Finnerty desired to have a copy of the Commission, whereupon the Commissioners directed that the Commission should be again publicly read.

Mr. Langton and Mr. Finnerty acquainted the Commissioners, that they should severally deliver in a written statement of the charges they meant to prefer; and Mr. Finnerty delivered in a written deposition of various charges, of a most heinous nature, against John Merryweather the gaoler, made on oath by Mary Evison, formerly a convict in Lincoln gaol under sentence of death, and sworn before George Langton, Esquire.

On the fourth day after our arrival, namely, on Saturday the fifteenth of August, it was found necessary, for the purpose of avoiding protraction, to specify a stated period, within which, it was required that all communications, of the nature of complaints, should be made; Notice was therefore given, that the same should be preferred on or before the Thursday next ensuing, after which, no further complaint would be received. Appendix (A. 9.)

The Commissioners having perused the written statement of complaints made by Mr. Marris, directed notices to attend, to be issued to those parties whose cases appeared most specially to demand enquiry. The first case heard, in consequence of such notice, was that of,

William Allen, labourer, who stated, that he had a complaint against the gaoler and turnkey, for ill usage; that he had been taken down into the refractory cell, and confined five days, whereby he caught a bad cold, which took away the use of his limbs; he was afterwards confined in the same place a second time. The gaoler was not at home when he was first taken down; he was taken down by the turnkey. (C.)

The gaoler states, that Allen was repeatedly drunk and disorderly; that he was confined in the usual place for disorderly debtors, since approved of by the justices, and confirmed by the judges; that Allen, together with another debtor, of the name of Hewitt, had been drunk and disorderly for a length of time; that they boasted to the turnkey, that he dared not attempt to confine them, on account of their superior strength; that on the complaint of several very respectable debtors, Allen was ordered to be confined; that in doing his duty, the turnkey was considerably injured; that he had a new waistcoat and shirt literally torn to pieces in the struggle; that the assault he committed on the turnkey was most violent.

William Tuxford, turnkey, stated, that two men came out of the debtors room, saying, that Allen had kicked the table down, and broke the table; that they could not get him out of the room, and insisted on Tuxford's getting him out; Allen swore they might fetch the governor and all the turnkeys, they could not get him below; that he, Tuxford, went in, and Allen threw the door in his face; that after a long struggle, Allen was confined, and that the next day he gave the turnkey half-a-crown for the damage he had done to his cloaths. (C.)

On Monday the seventeenth of August, *Mary Evifon* attended, in order to prove the charges contained in her statement, as delivered in by Mr. Finnerty; and being duly sworn, deposed, that she was committed on a charge of felony, on the fifteenth November one thousand seven hundred and ninety-nine, to Lincoln Castle; she had then been the mother of twelve children, and was pregnant by her husband when she was committed, and that the gaoler was so informed; that by a course of harsh treatment and cruelty from the gaoler, she miscarried; that she acquainted no one of the fact, except Mr. Franklyn, the surgeon, now dead, who reprimanded Mr. Merryweather for what he had done, and told him he had given her her death stroke; that on the eighth of March one thousand eight hundred, when the judge came into the town, Mr. Franklyn told her, he hoped on her trial she would not mention it, as it would do her no good, and the gaoler harm; that she was tried on the eleventh of March, convicted, and received sentence of death; that she continued poorly afterwards, and the turnkey allowed her to lie in bed as long as she pleased; that Mr. Merryweather, knowing she was alone, took the opportunity of going to her several mornings, and had connection with her, in the same way as her husband would; that she was induced to consent, under the influence of fear, and promises; that in (D.)

consequence of such connection she became pregnant; that in August one thousand eight hundred, she, with two other female prisoners, was taken from Lincoln Gaol to Deptford, in order to be transported; that she was conveyed to the Isle of Wight, where she underwent an examination before Sir Jerome Fitzpatrick, the Inspector of Transports, who, in consequence of her large family, and because she was subject to fits, ordered her to be reconveyed to Lincoln gaol; that she was sent back to Newgate, whence, in the month of October, she was taken by Richard Cox the turnkey, to Lincoln gaol; that on her return, the gaoler swore at her, and asked, "why did not you die? I'd as soon see the Devil as you,—take her down to a solitary cell." That this happened on a Monday, and that until Wednesday at noon, she received no nourishment whatever, not even water to drink; that she continued to suffer a course of ill-treatment, and that the gaoler always appeared particularly uneasy and indignant while she was in a state of pregnancy; that on the nineteenth of January one thousand eight hundred and one, about noon, Dr. Franklyn and the gaoler visited her, and asked her how long she had to go, she answered, that she expected her delivery daily; that they withdrew, and after some conversation, the doctor returned, and said he would immediately send her something that would be of service to her; that about five o'clock on the same evening, the turnkey Cox, came and told her, he had brought her an emetic; that she objected to take this medicine, but Cox mixing it with a tea-spoon, in a cup of warm tea, told her she must take it, and accordingly she drank it, under the influence of fear; that soon after she became very sick; that the doctor came the next morning, without ordering her any thing whatever, afterwards visited her three or four times in the course of that day; that about twenty-two hours after taking the medicine, she was, with the doctor's assistance, delivered of a dead child; that the child was alive on the preceding day, she was sensible; and that the hair fell off her head within a few days after, just as if she had been shaved: that immediately after the Lent Assizes one thousand eight hundred and one, she heard the gaoler talking with Doctor Illingworth and Mr. Hutton, the magistrates, in the passage outside her cell door, when the gaoler said, "there is a ship getting ready to take female transports to Botany Bay, and I shall send Mary Evison, as she is now better; indeed I shall go with her myself to the ship, and then see the end of her." Mr. Hutton observed, he understood it was the order of the Duke of Portland, that Mary Evison should stay her time in the gaol; the gaoler answered, "she was much better than when before at the Transport." She further deposed, that for twenty-four weeks, during which she suffered miscarriage, disease, and other misery, she never had any other subsistence but bread and water, with the exception of one ounce of tea, and one pound of beef: that from these, and from other facts connected with her ill-treatment, she declares her belief, that the gaoler wished her death, provided her death did not commit or risk himself. That on the twenty-third of May one thousand eight hundred and one, she was, unaccompanied by any other convict, taken from the prison by the gaoler, in order to be transported; and that on their journey, the gaoler, taking advantage of her situation, was criminally connected with her; that on their arrival at the Goliah transport, Sir Jerome Fitzpatrick expressed his surprize at seeing her, and asked the gaoler how he came to bring her to the transport, after she had been sent back, and after the order of the Duke of Portland, that she should spend the period of her sentence in Lincoln Castle; that she was ordered back again by Sir Jerome, and when in London she was committed to Newgate, where she remained about ten days, whilst the gaoler was enjoying the pleasures of the town; that on her return to Lincoln gaol she was allowed a feather bed, and also to work for the male prisoners; that she owed these indulgences to the gaoler, in consequence of her compliance with his desires, which she dare not refuse, and that he took his opportunities of coming to have connection with her as before; that she became pregnant in October, but that her pregnancy was not suspected by any body until about Lent Assize one thousand eight hundred and two; that when her pregnancy was communicated to the gaoler, he became excessively indignant, and that Doctor Franklyn exhorted her to be silent about it; that afterwards she was deprived of her feather-bed, and that Cox, the turnkey, behaved most brutally to her, shaking her till she became insensible, and flinging her on the ground, and against the walls of her cell, from a wish, as she believes, to produce a miscarriage.

That this ill-treatment was continued, and she lay upon the bare floor for five weeks; that the doctor ordered her to be furnished with a proper bed and blankets; that in the month of June the doctor paid her an unexpected visit, and assured her, if she would be silent as to who was the father of the child, it should be taken proper care of, and herself likewise; that the doctor professed to give her this

assurance

assurance on the authority of Mr. Merryweather. That on the twenty-first of July one thousand eight hundred and two, she was delivered of a female child, which was afterwards baptized Ann, daughter of John and Mary Evison; that she did not acquaint the chaplain who was the father of the child. That Mr. Franklyn paid her three shillings a week, and that she received from him monies to the amount of twenty pounds before her liberation; that Mr. Franklyn afterwards brought her a bond for one thousand five hundred pounds, and told her it was made by Mr. Merryweather's desire, to be a satisfaction, as long as life lasted, for the wrongs she had suffered. She does not know whether it was signed, but Mr. Franklyn told her he would keep it,—he had a right to keep it, while he paid her the money. She did not mention it to any one at the time,—the first person she mentioned it to, was Elizabeth Waters, within these four years. She likewise mentions a course of cruel treatment and extortion on the part of Richard Cox, the turnkey, which was continued till the fourteenth of May one thousand eight hundred and five, when she was liberated.

In order to repel these charges, the gaoler called several witnesses, whose examinations are inserted in the Appendix; and delivered in a written defence, which is also subjoined. The whole of these charges of cruelty and inhumanity, and of criminal intercourse, are not only denied by the gaoler, but he avers, that many of the principal facts, such as the two miscarriages, and the heavy crime of administering medicine to procure abortion, now brought forward for the first time, and urged against him by Mary Evison, were not only unknown to him, but to every attendant in the prison; and that he never heard of them till within these few weeks. R. E. Franklyn, brother and successor of the former surgeon, Richard Cox, now keeper of the House of Correction at Lowth, formerly turnkey in Lincoln gaol, and Ann Seaton, formerly caterer to the prison at the period specified, severally declare upon oath, that they never heard of her first pregnancy when she came to the Castle, or of either of the two miscarriages, either from herself or from the visiting surgeon; nor do they believe such circumstances could have taken place without their knowledge. Ann Seaton, as caterer, usually visited the cells three or four times a day, and generally brought in the medicines; nor did she ever hear that any powder had been given to Mary Evison, whereby she lost her hair, until these last Assizes, when Mary Evison was here *with the people in the Castle.* Richard Cox, the turnkey, positively denies the charge, and swears, that he never gave her any powders, either in her cell or elsewhere.

Appendix. (D. 8.) (D. 2. 3. 5. 6.)

R. E. Franklyn, brother of the late surgeon, and at present surgeon to the Castle, swears, that his brother never mentioned to him any miscarriage of Mary Evison, and believes his brother would have so done, had any such circumstance taken place. That his brother made a regular entry, in his book of midwifery, of all births, still-born and embryos, that occurred in the course of his practice; that the entry is made, whether the money is paid or not; and that the only entry in the book (which he produced) respecting Mary Evison, was the delivery of the last-mentioned child; and it is observable, that the only persons mentioned as being apprized of the two miscarriages, namely, Audry Appleyard, and Mr. Franklyn the surgeon, are both dead. The repeated assertion, that the Duke of Portland, at that time Secretary of State, had directed her period of transportation to be commuted for imprisonment in Lincoln Castle, and the insinuation made, that the gaoler removed her a second time, of his own authority, and in disobedience of the order from the Secretary of State, that his misconduct might not appear, are severally disproved, and falsified, by written documents; for the gaoler has produced in evidence, the order of removal of Mary Evison, from Newgate to Lincoln, after her first return from Portsmouth, which makes no mention of any change of punishment; and for the second removal, he has produced in evidence, an express order from the Secretary of State's Office, in which Mary Evison is distinctly named to be removed to the Nile transport, at Portsmouth. With regard to the paternity of the last child, Richard Cox swears, that her husband had admission to her twice a year, during which times he was alone with her during one or two hours in the turnkey's room, and usually came after harvest. There is likewise evidence of her insinuating, that she had a connection with a turnkey in Newgate, and it was the common report of the gaol, that she was criminally connected with one Thorpe, a prisoner in the Castle. Ann Seaton, the caterer, swears, that Thorpe told her he was frequently with Mary Evison, when he went for water to the wash-house. Many of the less important facts, by which her story is connected, such as her being for a time indulged with a feather-bed, &c. are denied both by Richard Cox and Ann Seaton, who were at the time constantly in attendance,

(D. 6.) (D. 9.) (D. 10.) (D. 3.) (D. 3.) (D. 3, 4.)

though they have now ceased to be servants in the gaol. The payment of twenty pounds by Mr. Franklyn, the surgeon, to Mary Evison, on account of the gaoler, together with the bond for one thousand five hundred pounds, as asserted by her, is doubted by Francis E. Franklyn, who swears, that he never heard of any money payment made by his brother to Mary Evison; and thinks he should have known it, if any such had been made, as he had access to all his brother's books of account, and posted them for him; nor did he ever hear that any bond had been given for the maintenance of the child. It is further obvious, that the turn of phrase and terms frequently adopted in Mary Evison's affidavit, are such as could not have occurred to a person altogether illiterate; and from the facts disclosed upon her cross-examination by the gaoler, that in the month of July last she constantly attended for *eight days and a piece*, sometimes from half-past seven in the morning till ten o'clock at night, at Marris's rooms in the Castle, where Messieurs Finnerty, Marris, Drakard the proprietor and Scott the editor of the Stamford newspaper, were assembled, where she generally received her food, except on one day, when Mr. Marris having company, he and Drakard gave her two shillings a-piece to go out and get what she pleased, it is evident that the gaoler has reasonable grounds for asserting, "that the "charges are a fabrication, to which she has bee prompted by some persons, who, "grafting their ingenuity upon her iniquity, have thus swelled the charges, to induce "a belief that such a regular and well-told tale must be true, at least in some of its "substantial parts."

Appendix (D. 6.)

(D. 1.)

(D. 1.)

(D. 8.)

Having been apprized of the arrival of Doctor Caley Illingworth, we proceeded, on Wednesday the twentieth of August, to take into consideration the case of *Thomas Holden*, of Spilsby, the party who having preferred a Petition to the Commons House of Parliament, the House did thereupon present an humble Address to Your Majesty, requesting Your Majesty to issue the present Commission.

(E.) The petition complains of a system of oppression in the gaol, and of the existence of a strong prejudice in the gaoler's mind against the petitioner, in consequence of his complaints against that system, and particularly of the gaoler's extortion with regard to beds; and he especially complains, that the door of the debtors apartment was on the eighth of June last ordered to be locked, which had never before been so done, and that therefore he objected to it; that he was taken before Doctor Caley Illingworth, and accused by the gaoler of opposing the turnkey; that the magistrate at first declared that the charge was not proved, and dismissed the petitioner; but shortly afterwards he was again taken before the said magistrate, and committed to what are usually called the condemned cells, which cells are about seven feet below the level of the front of the prison, where he was kept in close and solitary confinement for eleven days and nights.

(E. 1.) In support of these allegations, the petitioner *Thomas Holden* was first examined; and without noticing the charges of systematic oppression and extortion, or attempting to bring any evidence in support of them, he confined himself to the circumstances of the disturbance of the eighth of June one thousand eight hundred and eleven, and (E. 2, 3, 4, 5, 6.) of his examination in consequence before Doctor Caley Illingworth. He called five witnesses, debtors at the time, to prove that he did not resist, that he did not assault the turnkey, and that he was of a peaceable character.

(E. 7, 8, 10.) From a cross-examination on the part of the gaoler, and from the evidence of Mr. Robert Marris, and two other witnesses, it appears, that the disturbance arose, on account of an order given to lock up a passage-door leading to the debtors apartments, in consequence of repeated applications made to the gaoler by Robert Marris, a prisoner for debt. Thomas Holden and he, were at variance. Holden and some of the debtors were in the constant habit of insulting him by abuse and mimickry in the day time, and vexing him by shouting, thumping, and more offensive annoyances, against his door at night. That having suffered an accidental contusion of the brain, he was more susceptible of irritation, and was much affected by it. On his complaint to the gaoler, notice was given to the debtors, that unless these disturbances ceased, the passage-door should be fastened, to prevent their access to Marris's door, who had an apartment to himself. The noise continued; and when the turnkey went up to fasten the door, the bolt was slipped out, and a padlock fastened on the catch; the turnkey attempted to remove the padlock, Holden resisted, Marris came up during the altercation, and insisted on the turnkey's doing his duty; a struggle ensued; Marris sent his servant into his apartment, to fetch a cleaver, with which the padlock was knocked off; in the attempt to move it, the turnkey's fingers were all nipped by the iron bolt; Holden shoved the door against him; they had a struggle, and in the scuffle both came on the floor; the door was finally bolted; and on a promise there should

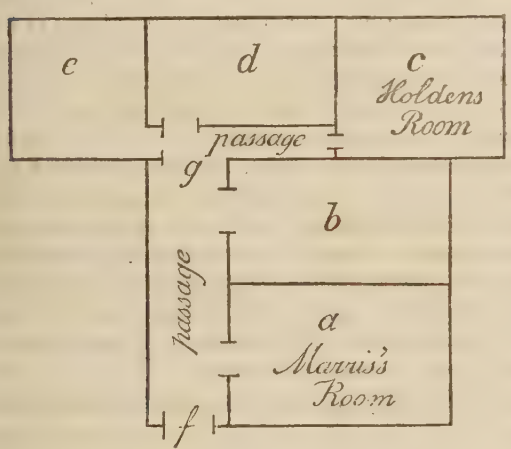
should be no more disturbance, in four or five nights the door was opened, for the rooms became quiet after the confinement of Holden. Appendix (E. 8.)

With regard to the circumstances that took place during Holden's examination before Doctor Illingworth, Marris recollects hearing Doctor Illingworth say, "I am "sorry I cannot commit you," or words to that effect; and Edward Woodward swears, that when Mr. Holden was called to go before the magistrates, he staid out some time, and returned, saying, he was dismissed; but these facts are positively denied by Doctor Illingworth; and the turnkey swears that Holden behaved very insolently before the magistrates. (E. 7.) (E. 5.)

The motive assigned by the petitioner for his release, is unfounded. He was released, as it appears in evidence, in consequence of a letter written by him to the gaoler, acknowledging his fault, promising to behave better, and saying that his name should never again be called in question. E. 8.)

Doctor Illingworth declined proposing any questions to Richard Holden, but gave in the following written observations on Holden's charges;

"Some time in June 1811, Mr. Merryweather the gaoler applied to Doctor "Illingworth to visit the gaol, in consequence of a disturbance and an assault com- "mitted upon his turnkey William Tuxford, in the execution of his office. Upon "investigation, the facts were as under:—The upper story of the debtors side of "the prison consisted of five sleeping rooms *a b c d* and *e*. All the doors



"opening into the passage were "unlocked during the night, except "the door at *f*. Holden, who oc- "cupied the room at *c*, was at "variance with Marris, another "debtor, who had the room at *a* "to himself; in the night Holden, "or some persons in the room at "*c*, frequently knocked at Marris's "room door at *a*, to insult and "disturb him, threw potatoes and "other things at it, made water, "and committed other nuisances in "the passage.

"Marris complained to the gaoler, "who ordered the turnkey to lock "up the door at *g*, to prevent Holden and others from coming to his door at *a*; "about a month afterwards, upon a further complaint of Marris, the gaoler ordered "the turnkey to lock up Holden's door at *c*; Holden hustled the turnkey to "prevent him from locking it up, and assaulted him. Mr. Merryweather, senior, "and Mr. Marris, deposed upon oath, that they came into the passage upon "hearing the disturbance, and saw Holden assault the turnkey. Two debtors, "Foster and Brunyee, were called by Holden as evidences, when it appeared they "were in bed, and out of sight of the turnkey and Holden. Holden's language "before Doctor Illingworth, was very violent and insolent.

"Doctor Illingworth directed the gaoler to put Holden into the refractory debtors "room for ten days or a fortnight, unless in the mean-time he acknowledged his "contrition for his very improper conduct. Holden was released from his con- "finement, upon his writing a letter to the gaoler, promising to behave better for "the future, and not in consequence of Finnerty's petition to the House of Commons. "Holden was at large before the account of the petition being presented had "reached Lincoln.

"Doctor Illingworth never said he was sorry he could not commit Holden; he "ordered him out of the room only, to consider the case and the bearings of "the evidence, and to look over the rules of the gaol; Doctor Illingworth did not "use any improper language to Holden, neither did the gaoler call him scoundrel "and rascal; Doctor Illingworth would not have suffered such language in his "presence."

Holden, in his petition, states "that he was committed to one of what are usually "called the condemned cells, which cells are about seven feet below the level of "the front of the prison.

"There is no room or cell in this prison, but what is above the level of the "outward area of the prison yard."

On this case, perhaps, it may be necessary to observe, that the fact alleged in Holden's petition,—that he was kept in close and solitary confinement,—arose, not from any regulation established with a view to inflict solitary imprisonment upon refractory debtors, but from the circumstance, that he was the sole person in that predicament; and the further allegation, that he was denied the use of pen, ink, and paper, is contradicted by the positive testimony of two persons, as well as by the circumstance, that his liberation was owing to a letter written by himself in a state of confinement.

Appendix (E. 1. 8.)

Perhaps it may be necessary to make a further observation respecting the situation of the cell in which Holden was confined: his statement, though possibly correct in terms, nevertheless leads to an erroneous inference; for the prison is built upon an inclined surface, and though the cells in the rear may be seven feet below the level of the front, yet they are equally above the surface of the earth with those in front, and the cell in question is assigned, by the visiting magistrates, to refractor debtors.

From the facts disclosed in Holden's case, it is manifest, that by his conduct, he offended against the peace and good order of the prison, and that he deserved punishment; and it is further proved, that the usual punishment was inflicted, which ceased as soon as it had excited a sense of contrition.

(E. 8. 11.)

The next complaint to which we attended, was made by *George Langton*, Esquire, one of Your Majesty's Justices of the Peace for the Parts of Lindsey, in the County of Lincoln, who delivered in a written Statement, entitled, "A Detail of facts, tending to implicate the gaoler and visiting magistrates at Lincoln Castle, in misconduct;" and subjoined in the Appendix. This detail, as upon perusal it will almost immediately appear, is drawn up in a manner so desultory, that it is hardly practicable to form a connected breviate of the allegations. The tendency of the evidence produced, in the first instance, was to prove that the magistrates were inattentive to the reasonable complaints of the prisoners; and for that purpose, the first witness called by Mr. Langton, was John Drakard, who stated that he was a printer at Stamford, and in confinement for a libel; that he never complained to the magistrates but once, which was by letter, in the month of October last. To an interrogatory, "What was the nature of that complaint?" he said, "It's a question I don't mean to answer; do you think I have not common sense?" Upon a remonstrance from the Commissioners, he gave in a copy of the letter, which was in the following terms:

(F.)

(F. 2.)

"Gentlemen,

Mr. Merryweather has this morning told me, through his turnkey, a felon, (a very proper turnkey, to be sure, but of this more hereafter,) that my coals shall not be laid in an adjoining cell, where they have lain ever since I have been committed; and as they annoy no one, the motive for this order is obviously to annoy me. As I do not mean to submit either to the *tyranny* of a gaoler, or to that of any other man, I should be glad to know from you, Gentlemen, whether you can deem this order consistent with the directions you gave when I first came to the prison,—that I should be allowed every accommodation the gaol afforded. Your interposition I request as early as convenient, as it is intolerable to me to be subject to the coxcomical whims of a jack in office. I have the honour to be,

Castle Lincoln, Gentlemen,
Monday Morning, Very respectfully, your obedient Servant,
October 28, 1811. *J. Drakard.*"

The grievance alleged, is, that no notice was taken of the complaint thus made.

(F. 3.) John Hindley, late a debtor, was next called by Mr. Langton; he complained that his county allowance was taken off, that he was put into a bath, and that he asked for a fire, which was not allowed him. Which complaints are answered by the regulations of the prison; which direct, that a debtor selling the liquor allowed him, of which offence he had been guilty, shall be deprived of his county allowance.

(F. 4.) Robert Marris was the next witness brought forward by Mr. Langton; he complained that the magistrates, at three meetings in the year one thousand eight hundred and nine, on three successive days, repelled his complaints, and insulted him; on a subsequent day, he repeated this charge, when further details were given.

(F. 14.) Thomas Holden, likewise called by Mr. Langton, states, a complaint was made to the magistrates by the debtors, that they were confined to take their ale from a particular house

house when it was very bad, but the magistrates paid no attention to what he said; that the magistrates made it a rule of coming at the dinner locking-up hour, and were closeted with Mr. Merryweather, before the complainants could be admitted.

Edward Woodhead wrote, he believes, four times on behalf of himself and the other debtors, on account of the market woman imposing in the price of things; the gaoler said, he was not to be credited, and so he was dismissed.

James Brunyee made a complaint about the county allowance being taken off; and Doctor Illingworth told him to go about his business, and conduct himself better.

With respect to these complaints, it appears, that the purchase of ale was subsequently allowed to them, conformably to Act of Parliament; and the magistrates appear to have exercised the discretion with which they are vested, with due attention to the reasonable complaints of the prisoners. Appendix (F. 14.) Magistrates Answers.

Peter Finnerty was likewise called, on the part of Mr. Langton, and stated a series of personal grievances, which are set forth in his examination in the Appendix; but as he proposed, as an accuser, to bring forward certain specific charges against the magistrates and gaoler, he reserved the further detail until he should appear, to substantiate his own case. (F. 8.)

Mr. Langton further brought a specific accusation of irregularity against the gaoler, respecting the placing of certain persons, who were confined under a charge of having committed an unnatural crime; but after hearing Mr. Merryweather's account of his conduct in that matter, and the explanations offered thereon, Mr. Langton declared he was perfectly satisfied, and should not proceed with that part of his complaint. (F. 11.)

After a comment on the height of the Castle walls, and stating a doubt whether a necessity exists for putting on heavy irons, Mr. Langton signs this detail, in his quality of Justice of the Peace for the parts of Lindsey, in the county of Lincoln; and in a postscript, mentions, that at a recent coroner's inquest, the coroner Drury was closeted above half an hour with the gaoler, and after some animadversion on the gaoler's conduct, questions the propriety of allowing prisoners to constitute a part of the inquest; but as this complaint is brought forward in a more aggravated form by Mr. Peter Finnerty, we shall reserve the account given of that transaction, both by the coroner and gaoler, to the period when we shall be led to it, in the course of the defence made by the gaoler to Mr. Finnerty's charges.

Mr. *Robert Marris*, as an accuser, came forward to substantiate his charges; and complained, that the area of the prison allotted for the exercise and recreation of the prisoners, was not so extensive as formerly; and that he had abundance of complaints to make against the conduct of the visiting magistrates and gaoler. But it appears that the boundaries of the area allotted for the use of the prisoners, have been prescribed and set forth by the visiting magistrates, and approved by the judges of assize, in their present extent and state; it was therefore suggested to the complainant, that the extent of the area had been settled by competent authority, and was not at present to be questioned; and it was further observed to him, that most of his complaints respected matters that are either prescribed or forbidden by the rules of the gaol. He then began very intemperately to deny the authority of the rules, that they bordered on cruelty, and that the judges and magistrates would regret the day they signed them. (G.) (G.)

From an accidental concussion of the brain some years since, this witness was occasionally subject to a suspension of recollection, and to violent irritations. In the course of the proceedings, he had been often irregular, and reprimanded, and as frequently disavowed any intention of disrespect; but having repeatedly evinced a state of mind, much too irritable to deserve attention upon a grave enquiry, it was finally, upon deliberation, found expedient to acquaint him, that his further attendance, in the quality of an accuser, would be dispensed with.

On Tuesday the twenty-fifth of August, Mr. *Peter Finnerty* attended, in order to substantiate the allegations contained in his statement.

This Statement includes a very voluminous and minute detail of incidents, which occurred on his first arrival at Lincoln Castle, and during his imprisonment there; enumerating a series of complaints against the place of his confinement, the severity of the restrictions imposed upon him, which were the more oppressive on account of his bad state of health; against the conduct of the visiting magistrates, and especially against Doctor Caley Illingworth, (all of whom he charges with having entertained Appendix (H.)

and acted with a political prejudice against him;) and against the conduct of the gaoler to himself personally, as well as in his general conduct and management of the prison.

The statement particularly sets forth, that soon after his arrival at the Castle, that is, on the first day of March one thousand eight hundred and eleven, E. P. Charlesworth, Doctor in Medicine, certified, such was the state of Mr. Finnerty's health, that a warm room and every possible advantage of air and exercise, were indispensably necessary, not only for the chance of his recovery, but even for the preservation of his present state of health. This certificate, with other matters, were set forth in a representation addressed to the magistrates. On the day after, a Doctor Cookson called upon Mr. Finnerty, saying, that he had been sent by the magistrates to examine the state of his health; that he was astonished at the visit, having reason to believe that it took place solely with a view to ascertain, whether the close confinement, of which he complained, could be continued without endangering his life, and so committing his keeper; that, however, an order was issued to allow him air and exercise in the Castle-yard, for three hours each day; that the gaoler afterwards told him, he should be allowed to take exercise for four hours each day, but he perceived the gaoler did not grant the above extension of time with a friendly grace; that some days after, he received a note from the gaoler, acquainting him, that the gaoler feels it necessary to restrict Mr. Finnerty to his own ward, (for the reasons assigned in the note) until Mr. Merryweather is acquainted with the magistrates determination thereon; that he was thenceforth confined for several weeks to the small yard in his own ward; and his illness returning, he procured another certificate from Doctor Charlesworth, with a certificate from Doctor Fawssett, to the same effect; that soon after, Doctor Cookson and Apothecary Franklyn paid him a visit, with a view, as he believes, to make a representation for palliating the continuance of the rigorous confinement under which he suffered; that on the day after this visit, the magistrates gave directions, that Mr. Finnerty should be allowed to take air and exercise from one to two o'clock, on each day, in the presence of the turnkey, to prevent any further improper communication; that he was goaded by ill-treatment to have a petition presented to the House of Commons, in June one thousand eight hundred and eleven, in consequence of which petition, he was allowed to take exercise in the Castle-yard, for three hours in each day; that at the close of the Autumn Assizes, several persons were introduced into his apartment, as the Grand Jury, although the Grand Jury had been dismissed some hours before this visit; that another extraordinary visit was made to him about the month of October last, by Lords Brownlow and Bridgewater, and Sir Abraham Hume. That while thus, with the permission of the gaoler, he was subjected to intrusion, and exposed to gratify an idle or rather hostile curiosity, such persons as only meant to pay a friendly visit, were excluded.

Appendix (H. 39.)

That exclusive of what he himself has suffered, Mr. Finnerty has seen and heard of various acts of oppression in Lincoln Castle towards felons and others; that he is acquainted with the cases of Dowse and Godfrey, two debtors who died in the prison, in consequence, as he understands and believes, of the neglect or ill-treatment of the gaoler, and the ignorance of the medical attendant.

In order to prove the allegations in this statement, Mr. Finnerty called twenty-four witnesses. Doctors Charlesworth and Fawssett proved and certified the infirm state of his health, at the two several periods at which they were consulted; Robert Marris and several others testified there was an offensive smell in the yard belonging to the ward in which Mr. Finnerty was confined, arising from a communication between the necessary and the sink. Marris likewise testifies that the magistrates, namely, Mr. Hutton, Doctor Illingworth, and Mr. Nelson, speaking of Mr. Finnerty, called him a violent, turbulent fellow, a jacobinical fellow. Challis Sheath testifies that the gaoler used very harsh epithets against Mr. Finnerty, saying, he had interfered improperly with his prisoners. Several witnesses were called, to prove that the gaoler refused Mr. Finnerty an apartment in his house; that he had refused to commute his hour of exercise; and some, that they were refused admittance to Mr. Finnerty.

(H. 1. a. 30.)

(H. 4.)

(H. 5.)

(H. 16.)

Mrs. Peacock was called, to prove that the turnkey stole the ends of his bottles of wine; and Catherine Preston never saw him intemperate in drink. Captain Hare testifies, that a magistrate said, that those who associated with Finnerty, were as bad as himself. Mrs. Osbaldeston stated, that she visited the prison on the day before Mr. Finnerty's arrival; the apartment appeared to her to be wretchedly uncomfortable, and extremely damp; that she saw a person occupied in painting an old worm-eaten bedstead with ochre; that the bed was placed near the door, which did not reach

(H. 20.)

each the sill by two or three inches, and that there was a very offensive smell in the yard; that she applied to Doctor Illingworth, one of the visiting magistrates, and told him that she should feel extremely obliged to him to afford Mr. Finnerty any allowance in his power, as to accommodation; that Doctor Illingworth replied, "Mr. Finnerty is a dangerous fellow, and should be well looked after;" that some further conversation took place, and that the impression upon her mind was, that Doctor Illingworth was decidedly prejudiced, politically, against Mr. Finnerty; that she repeated her application frequently to Doctor Illingworth, and urged the necessity of his allowing Mr. Finnerty more air and exercise. Appendix (H. 20.)

Mr. Robinson, under-sheriff for the county, was called, respecting some discussion which had taken place between the visiting magistrates and the sheriff, concerning the superintendence of the gaol; he was questioned by the gaoler, respecting the alleged communication between the necessary and the sink in Mr. Finnerty's yard; the place was examined by a mason, in the presence of Mr. Robinson, and both declare, from their personal inspection, that it is impossible there can be any communication between them, as the necessary was completely walled up. (H. 22.) H. 24.)

Mr. Finnerty having closed his evidence in support of the charges against the conduct of the magistrates and gaoler, respecting himself personally, was informed that he had now an opportunity to substantiate his charge of acts of cruelty and oppression by the gaoler, in his general conduct and management of the gaol. Mr. Finnerty expressed his intention of producing evidence to support the charge, that Dowse and Godfrey, two debtors, died in prison, of the neglect or ill-treatment of the gaoler, and the ignorance of the medical attendant; but it appearing that an inquest had been holden before the coroner, and that a verdict had passed, and been recorded in each case respectively, the records were called for, and proved; and Mr. Finnerty was apprized, that a jury of the country having in each case given their verdict, upon oath, on the manner in which they severally came by their death, that such verdict was conclusive upon us, and it was not competent to him to enter again into the question. (H. 48, 49.)

The Commissioners then enquired of the magistrates, whether they proposed to call any witnesses to repel the charges of Mr. Finnerty; they answered in the negative; but desired to deliver in certain documents of their proceedings, as evidence of the conduct they had observed towards Mr. Finnerty. (H. 34. a. 43.)

Doctor Illingworth requested he might be allowed to call Doctor Cookson; who testified, that he had been desired by the magistrates to inspect the room in which Mr. Finnerty was confined; and that in consequence of a report made by the witness, a window was made in the apartment, and an extension of time allowed him. (H. 28.)

Upon a cross-examination, by Mr. Finnerty, of Doctor Cookson, he stated, that he entered the apartment, upon his first visit, with his hat in his hand, and addressed him as a gentleman, while he took notice that Mr. Finnerty sat for some time with his hat on; that Mr. Finnerty observed to him, that he came, like a regimental surgeon, to see what quantity of punishment the animal could bear; that to this remark, he made no reply; that he found the room exceedingly comfortable, a good fire, a carpet put down, and a very good bed; that as to Mr. Finnerty's having said, the sun did not shine, at that very moment the sun burst out into the room while he was there. (H. 29.)

Doctor Cookson has been in practice as a physician upwards of thirty years.

Mr. Merryweather, the gaoler, being asked, whether he had any witnesses to produce? called,

Mr. Mason, formerly assistant to the under-sheriff; who gave evidence of an immaterial conversation that took place between the gaoler and Mr. Finnerty, upon his first arrival at Lincoln. (H. 30.)

On his cross-examination by Mr. Finnerty, he stated, that Mr. Finnerty told him, on the subject of the attempt to bribe the gaoler's servants, that the turnkey made the first offer to him; and that, after the gaoler refused to communicate with him, though Mr. Finnerty requested it. (H. 31.)

Mr. Merryweather called no other witness, but requested permission to read and deliver in a written statement respecting his conduct to Mr. Finnerty, and therewith this part of the enquiry closed. (H. 47.)

Upon a retrospect of the complaints made in Mr. Finnerty's statement, they seem resolvable into four general heads:—

First, His complaint against the place of his confinement, and the severity of his restrictions:

Second, Against the conduct of the magistrates:

Third, Against the conduct of the gaoler, with regard to himself:

Fourth, Against the gaoler, in his general conduct and management of the prison.

From the dimensions of the place of his confinement, it appears to be as spacious as could reasonably be expected by a person under conviction for a misdemeanor, being twenty-two feet long by eleven feet six inches broad, and sixteen feet in height; and in regard to accommodation, there was a casement, and second door closely fitted and covered with green baize, and communicating with a paved court-yard of the dimension of forty-five by thirty feet: from the course of a drain under the court, and from the testimony of several witnesses, it is probable that an offensive smell may occasionally prevail, but not arising from its contiguity to the necessary, for that, upon examination, has been proved to be impossible. The assertion that the ward is never visited by the sun, is contradicted by its position, by positive testimony; and, most unhappily for the accuracy of such assertion, when the ward was inspected by the Commissioners, the sun was shining upon it in full warmth and splendour. With regard to the severity of the restrictions, it appears by the gaoler's statement, that he was indulged with more liberty than was ever allowed to a crown prisoner. That six persons under sentence of the Court of King's Bench for misdemeanors, were confined in this ward during the whole of their imprisonment; and though great interest was made to obtain permission for them to go into the debtors area in the day time, it was positively refused, being contrary to the rules of the prison. It further appears, that his time for air and exercise was increased to three hours in each day, which were afterwards apportioned to his own convenience; that it was extended to four hours, and so continued, until, by his own misconduct in attempting to corrupt the turnkey, and to indulge in a criminal connection with one of the female prisoners, he renounced all claim to such indulgence. The particulars of this misconduct are set forth in the affidavits of William Tuxworth, John Goodin, Rebecca Stevenson, and Elizabeth Barton, which were delivered in by the magistrates among the documents relative to their conduct to Mr. Finnerty.

Appendix (II. 12, 13, 14.) (H. 23, 24.) (II. 32. 47.) (II. 41, 42, 43.)

The second head of complaint, that the visiting magistrates having conceived a political prejudice, were thereby induced to treat him with rigour and inhumanity, though confidently alleged, and supported by the testimony of surmise, is contradicted by the authentic evidence of a series of facts, which are incontrovertible; and an early document is produced in the hand-writing of the magistrate, who is specially named as taking a leading part in this system of oppression, which proves, that he was a volunteer in acts of tenderness towards the prisoner; for Mr. Finnerty was committed to Lincoln gaol on the twenty-fourth day of February; on the twenty-eighth day, he sent a representation to the visiting magistrates; on the next, namely the first day of March, they took it into consideration, and immediately issued a written request to Doctor Cookson and Mr. Franklyn, "to inspect the room in which "Mr. Finnerty is confined, and report to the magistrates, as soon as possible, their "opinion of the room and yard, as to the ventilation and healthiness thereof; and "whether the present state of the room, is at all prejudicial to his health." Doctor Cookson and Mr. Franklyn made their report on Saturday the second day of March, in which they recommend, "in addition to the inner door now making, that a case-"ment be made in the window, for the purpose of admitting fresh air. And we further "beg to suggest the propriety of Mr. Finnerty's being allowed to breathe the fresh "air of the Castle-yard for *two* hours in the course of the day." In consequence of this report, Doctor Caley Illingworth went in person the next day, being Sunday, to the Castle, where he left a note of the following tenor, the original of which was produced:

(II. 20.) (II. 34.) (II. 35.) (H. 36.)

"Mr. Merryweather,

"I called upon you, but you were all at chapel. I desire that to-morrow morning you "will have the window in Mr. Finnerty's apartment made to open, that the air may be "admitted; and you have my authority to permit Mr. Finnerty to walk out for *three* "hours each day, if he wishes it, provided he will give you his word, that he will have "no communication with the debtors, and will confine himself to that part of the outer "yard where the debtors are not permitted to walk. I give this order in consequence "of the report of Doctor Cookson and Mr. Franklyn; and it may continue in force till "Friday next, unless a meeting of the magistrates should take place in the interim.

"Sunday, March 3d, 1811." "*Caley Illingworth.*"

The

The personal exertion and promptitude of the magistrate, and the extension of the period of two hours, suggested for recreation, to three hours, upon his sole authority, seem rather to imply a spirit of pure benevolence, than the persecution of political prejudice.

At the next meeting of the visiting justices, namely, on the eighth day of March, this extension of indulgence was confirmed by order, signed by six magistrates, which Mr. Finnerty continued to enjoy, until he forfeited all pretensions to it by his misconduct. Appendix (H. 38.)

With regard to the complaint against the gaoler's conduct to Mr. Finnerty personally, we have no other evidence than a repetition of angry terms and coarse epithets; but no testimony has been offered, nor complaint made, of any positive act of violence or oppression. If the gaoler's defence is to be credited, he anticipated Mr. Finnerty's convenience, even before his arrival at the gaol, by removing two persons committed for misdemeanors from the ward, that Mr. Finnerty might not be incommoded with them; and on the first day of his confinement, offered him leave to walk out for an hour in the day, in the outer area, where the other prisoners are not permitted to walk. That this indulgence was afterwards extended by the magistrates, which he took for several weeks, daily extending the time, till in fact no limit of time was attended to on his part, but of which no notice was taken. That he often remained in the green-house in the keeper's private garden, reading or sleeping, till after the debtors were all locked up. (H. 32.)

The last part of Mr. Finnerty's complaint states, that exclusive of what he himself has suffered, he has seen and heard of various acts of oppression in Lincoln Castle; but no evidence was adduced by him, whilst his complaint was under consideration, to substantiate such charge. He likewise states, that he is also acquainted with the cases of Dowse and Godfrey, who died in the prison, in consequence, as he understands and believes, of the neglect or ill-treatment of the gaoler, and the ignorance of the medical attendant.

The conduct of the coroner in the case of Godfrey, had likewise been made a part of the detail of facts brought forward by Mr. Langton; when the record of the Inquest was produced, and the Commissioners again delivered their opinion, that they did not deem themselves authorized to hear evidence on a fact already determined by a verdict of the country; and they delivered the same opinion to Mr. Finnerty, who was desirous of bringing evidence to support his charges.

Mr. John Drury, the coroner, having heard that his conduct had been impeached, was desirous of entering into his defence before the Commissioners; but was informed, that as no evidence had been heard in support of the charge against him, which rested merely in statement, such procedure was inadmissible. He then desired to present a counter Statement, in which he complained of the gross conduct and misbehaviour of Mr. Langton and Mr. Finnerty, during the inquest, on the death of Godfrey; that they interfered in a most unbecoming manner; and that Mr. Finnerty in particular, called the surgeon who gave evidence, a perjured fellow; and going close up to his face with clenched fists, threatened to knock him down: in which statement he is confirmed by the jurors present, who certify under their hands, that the account given by the coroner, relative to the conduct of Mr. Langton, Mr. Finnerty, and Mr. Marris, in court, is just and true. (H. 50.) (H. 50.)

Mr. Merryweather, the gaoler, delivered in a written Defence against the charges adduced by Mr. Finnerty; in which he states, "that before the committal of Mr. Fin- (H. 32.)
"nerty, no person whatever was allowed to have their friends remain with them in the
"prison, nor to see them, according to the rules, but in the presence of a turnkey.
"Very soon after his coming, an attempt was made to change the whole discipline
"of the prison, by any one coming and remaining as long as they pleased with him;
"—this it was occasioned the refusal of some people without an order, as I was
"directed. Indeed, in my general conduct towards Mr. Finnerty, I was governed
"by what had been, and then was, the rules and practice of the prison, but which,
"from the line of conduct that followed, but too well succeeded in changing that
"system. The right of the magistrates to regulate and govern the prison, was
"denied boldly and impudently; so much so, that until it could be properly ascer-
"tained, whether the management was vested by law in the magistrates or sheriff,
"they declined, from motives of delicacy, to act; and for nearly twelve months, the
"visiting magistrates, in consequence, never acted. The sheriff, from his great dis-
"tance, could not render me any assistance, in cases of sudden emergency, which,
"from the increasing disorders of the prison during this time, was continually occur-
"ing; and if the under-sheriff came, it was only to be misrepresented or personally

"insulted. I was not only placed in a situation, by which I was deprived of the "usual direction and assistance of the magistrates, but a magistrate was actually "arrayed against me. The gentleman I allude to is Mr. Langton, who, on a visit "to Mr. Finnerty, in April one thousand eight hundred and eleven, called upon "me to enquire, why he had not better accommodations; and not being pleased with "his not obtaining them, never spoke to me afterwards. His visits to Mr. Fin- "nerty were very frequent, seldom more than a month between times,—sometimes "more frequently, and remaining two, three, or four days at a time, and continuing "nearly the whole of the time in the Castle; in which he also generally took his "meals. The regular hour of closing the prison, and all strangers leaving it, was "nine o'clock, but he broke through that regulation, by remaining till ten o'clock or "after. On one occasion, Mr. Langton and a friend remained till after eleven. "This violation of the established rules of the prison by a magistrate, soon led to its "being generally adopted, as far as related to his friends Messrs. Finnerty, Drakard, "and Marris, who had whatever friends they pleased to the same hour, nightly,— "dinner parties were frequently taking place, and drunken guests turning out in the "evening, from which the above magistrate cannot be excused. In this situation, "it can scarcely be wondered at, that subject to continual irritations, as I must have "been, by a system of annoyance and abuse for months together, where meetings "have been held daily, as appears by the evidence produced before you, for the "foulest of all purposes, subornation of perjury, to a most dreadful extent, to take away "my character; and all this, because I would not suffer them to be as lawless as "they pleased; for had I done that, all would have been right with me—Is it to "be wondered at, that I should occasionally have made use of hasty, and per- "haps improper expressions, which I might afterwards regret? As to the different "regulations that took place respecting Mr. Finnerty's having air and exercise, I was "entirely governed by the directions of the magistrates, whose orders thereon you "have received, and the general rules of the prison. I think it may be now safely "asserted, that the departure from those rules, for the first time in the case of Mr. "Finnerty, and which was done by the magistrates from the best of motives, as I "had frequent opportunities of witnessing, has led to all the irregularities that have "followed."

With regard to the complaint made against Mr. Langton, in the gaoler's defence, it is a matter of regret to Your Majesty's Commissioners, that they had no opportunity of hearing any explanation that gentleman might be disposed to make, as he had taken his departure after the evidence upon his own charges had closed.

Appendix (H. 47.) With this defence on the part of the gaoler, which likewise includes other observations, and is given at length in the Appendix, the proceedings finished upon the Charges exhibited by Mr. Finnerty.

Your Majesty's Commissioners deem it to be their duty to observe, upon the two several charges exhibited by Mary Evison, and Mr. Peter Finnerty, that the former statement was presented to them by Mr. Finnerty, as an actual deposition already made on oath by Mary Evison before Mr. Langton, a magistrate; and that the latter was drawn up and delivered to the Commissioners in the form of a deposition, by Mr. Finnerty, which he repeatedly offered to verify upon oath; but the Commissioners seeing the very loose manner in which it was framed and expressed, and that even the crime of homicide is therein imputed to the gaoler, as committed by neglect, *or* ill-treatment; they did not think it expedient to call for that solemn sanction.

Upon the whole, we are humbly of opinion, that the complaints made against the visiting magistrates, are groundless; and that of the charges made against the gaoler, those which rest on assertion are contradicted, and those capable of refutation, are proved to be false. That the magistrates having granted an unmerited indulgence, have been subjected to reproach and slander; and the gaoler, to a wicked accusation of some of the most atrocious crimes of which human depravity is capable.

(K.) The last Complainant that appeared before us, was *Joseph Green*. This case was included in the written statement delivered in by Mr. Marris; and as it appeared to be of an aggravated nature, and had been industriously circulated in Drakard's Stamford Newspaper, as a signal instance of cruelty and oppression, the Commissioners directed an early notice to be served upon him, which was delivered on the thirteenth of August; fourteen days elapsed before he made his appearance, when he stated, that he had been out of prison five years; that when he was there he had been put into the refractory cell, where he remained twenty-four hours, that

that his feet were so benumbed that his toe nails came off; he never applied to the doctor, nor asked for any assistance. From the gaoler's evidence, it appears he was confined for drunkenness, and that in his rage he kicked at the cell door the greater part of the night; which occasioned his complaint.

Having occupied a considerable portion of time in the investigation of alleged abuses of recent occurrence, we were not unmindful of that part of our duty, whereby we are directed to enquire whether any, and what abuses have existed, in the management of the prison; and therefore endeavoured to procure the best information that could be obtained, respecting the conduct and discipline of the gaol for a series of years past; and to that end, we proposed certain interrogatories to the visiting magistrates; which they have answered, as will appear in the Appendix, with much complacency and candour. They presented us with a system of rules for the government of the prison, established, printed, and acted upon, ever since the year 1790, which were revised in the year 1791 by meetings of the magistrates of the three divisions of the county, of which Sir Joseph Banks was Chairman. These rules were established by the Quarter Sessions, but, by some omission, they had not been submitted to Your Majesty's Justices of Assize for approbation. To this circumstance we may ascribe the period of irregularity and confusion already stated by the magistrates and gaoler, inasmuch as the magistrates were thereby precluded from enforcing their own regulations, when their authority came to be questioned. The system of rules by which the prison is at present governed, is set forth in the Appendix, and has been duly approved by Your Majesty's Judges of Assize, on the 12th day of July 1812. Appendix (L.) (Q.) (M. P.) (R.)

From the representation of the magistrates, it appears that the principal complaint respecting the discipline of the gaol, submitted to their decision, has been on the hire of beds from the gaoler, which took place in the year 1809; complaint was made, that he charged too much; but the magistrates, on a reference to the charges made and allowed in the majority of gaols in England, found that they exceeded the price demanded by the Lincoln gaoler; they therefore allowed of his charge. (L.)

The magistrates recollect no instance of a report of abuses, or of complaint being made by any magistrate, with the exception of George Langton, esquire; but he had been so much in the habit of dining and drinking "with some of the prisoners, and "continuing with them to a late hour of the night, of sanctioning the introduction of "spirituous liquors, and transgressing the rules acted upon by the visiting magistrates, "that they have been compelled to consider him as one of the principal encouragers of "insubordination in the prison, instead of a reformer of its abuses." (L.)

From certain questions proposed to the Chaplain of the Castle, he appears to be attentive and regular in the discharge of his duty; and the magistrates have expressly declared their satisfaction with his conduct. (N.)

The Surgeon has likewise given satisfactory answers to the interrogatories proposed to him, relative to his professional conduct towards the prisoners; which is approved of by the magistrates. (O)

From the answers given by the Gaoler to a series of questions proposed to him, he appears, in general, to conduct himself conformably to the duties of his office; although it is incumbent on us to observe that, from the evidence given, as well as by his own admission, his personal inspection of the prisoners, is not so frequent as is customary in well-regulated gaols. He likewise states, that he keeps no written record of the occurrences of the prison; we have therefore deemed it advisable to suggest to the magistrates, the chaplain, and surgeon, as well as to the gaoler, the propriety and convenience of keeping a written journal of the transactions and occurrences connected with the regulation and discipline of the prison; and have informed the gaoler (who has avowed a desire to obtain, and a disposition to adopt, any suggestion for the more perfect discharge of his duty) that it behoves him personally to see every prisoner, more especially those in close confinement, at least once in the course of every twenty-four hours; and we further informed him, that complaints had been made by several of the prisoners, of the difficulty of obtaining medical aid, by the present custom of applying through the caterer, and advised him to give notice, that in all cases where medical assistance may be required, the parties should apply to him, or to the turnkeys, in order to obtain the same. (P.) (A. 4.) (P.) (P.)

Before we quit the subject of the management of the gaol, we think it right to observe, that the gaoler's remuneration from the county is compounded of a certain salary, and of the profits arising from an extensive garden, and the produce of the grass land within the area of the castle; that from his gross salary, he is expected to provide his turnkeys. This system we do not think is altogether to be approved. By transferring the power of directly appointing and dismissing the turnkeys, from the

magistrates to the gaoler, it necessarily lowers the character and conduct of these subordinate officers; and the sale of the produce of the pastures by the gaoler to the prisoners, obviously opens a door to abuse, and appears to be contrary to the spirit of an Act of Parliament.

Neither can we forbear to observe upon another circumstance of more important consideration respecting the management of Lincoln Castle.—The county of Lincoln consists of three divisions, each of which possesses a separate Commission of the Peace, delegating a distinct Jurisdiction to the Justices respectively named therein; and the power of regulating and managing the gaol devolves, exclusively, upon the Justices acting for the Division of the Parts of Lindsey, in which the gaol is situated, although the expenses incurred by the establishment are defrayed proportionably by the whole county. In the judgment of Your Majesty's Commissioners, if a legislative Act were passed, enabling the Justices acting for the several Divisions, to hold jointly a general Special Sessions within the gaol, for the purpose of exercising all the authorities entrusted by law to the Justices of the Peace for the regulation and government of county gaols, it would produce co-operation, and concentrate the talents and authority of all the Justices acting for the county of Lincoln. And in this suggestion we are confirmed, by the opinion of the present visiting justices, in their answer to an interrogatory on this subject proposed by us, and hereunto subjoined. For other regulations, we beg leave to refer to the questions proposed to the visiting justices, the chaplain, the surgeon, and the gaoler. For other matters, connected with the management of the gaol, in which is comprehended not merely the safe custody of the prisoners, but their reformation by due classification, regular employment, and religious instruction; we are unable to suggest any regulations in addition to those already promulgated from time to time by the legislature, and to the several reports already made to the House of Commons on the subject. After this detail of matters connected with the conduct and management of the gaol, possibly it may not be deemed irrelevant, before we conclude our Report, to observe, that Lincoln Castle is erected on a site, which, on account of its elevation and extent, was chosen by John of Gaunt Duke of Lancaster, as a proper situation for a princely residence; that the entrance into the Castle, instead of presenting the gloom, and exciting the horror, usually associated with the idea of a prison, opens a scene of uncommon cheerfulness; an area of between six and seven acres in extent, diversified in green, garden, slope, field, and orchard, where the free circulation of air promotes health, and refreshes the spirits; and the space for exercise assigned to the debtors, almost excludes the notion of restraint. From the documents delivered in to us, it appears, that Your Majesty's Custos Rotulorum of the county, as well as the Grand Jury, do not omit to visit, and improve its natural advantages. We have procured, and subjoined, a Plan of the whole of the area included within the Castle walls, specifying the distribution of the same, and the buildings erected thereon.

Appendix (L.)

(H.)

(S.)

Having thus endeavoured to become apprized of every fact and circumstance connected with our enquiry, upon a deliberate review thereof, and of the evidence adduced; it is observable, that, with the exception of the charges exhibited by Mr. Marris, no complaint has been made by any individual of the seventy-two persons now in custody in Lincoln gaol, of cruelty or inhumanity on the part of the gaoler; that the complaints, alleged and examined, of those who have been in custody, and the restraints inflicted on them, have in no instance (excepting the unsupported charge of Mary Evison) originated with the magistrates or gaoler, but have uniformly been in consequence of charges of misconduct made against them by their fellow prisoners.—WE do therefore humbly report to Your Majesty, that no complaint by those who now are in custody, nor any founded or valid complaint by those who have been in custody, has been laid before us, respecting their condition and treatment in Lincoln Castle, so as to affect the character or conduct of the visiting magistrates; and that no evidence has been produced, nor have we been able to discover (with the exception of the few omissions and irregularities already noticed) that any abuse has existed, or does now exist, so as to implicate the Gaoler, or impeach the conduct and management of Lincoln Gaol.

All which is humbly submitted to Your Majesty, by

W. OSGOODE, (L. S.)
JOHN WEYLAND, Jun. (L. S.)
J. T. BECHER. (L. S.)

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Appendix (A.)

COMMISSION, AND APPOINTMENT OF CLERK.

Appx. (A.)

GEORGE THE THIRD, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith: TO Our trusty and well-beloved *William Osgoode* and *John Weyland*, Esquires, and *John Thomas Becher*, Clerk, Greeting: WHEREAS the Knights, Citizens, and Burgesses, and Commissioners of Shires and Boroughs, in Our Parliament of Our United Kingdom of Great Britain and Ireland assembled, presented an humble Address to Us, That We would be graciously pleased to direct that a Commission be issued to enquire into what has been, and now is, the condition and treatment of Prisoners confined in *Lincoln Castle*, and the conduct and management of the said Prison: NOW know ye, That We considering the premises, and earnestly desiring that such an Enquiry should be made as speedily as possible, and reposing great trust and confidence in your fidelity, judgment, and ability, have authorized and appointed and by these Presents do authorize and appoint you, the said *William Osgoode*, *John Weyland*, and *John Thomas Becher*, and any two of you, to make a diligent and strict enquiry, by all lawful ways and means whatsoever, into the matters referred to by the above-mentioned Address of Our faithful Commons, and to report to Us, in writing, under your hands and seals, or under the hands and seals of any two of you, whether any and what abuses have existed or do exist in the management of our said Prison, or of the Prisoners therein confined, and what remedies have been adopted or may now properly be applied thereto, and what regulations or provisions may be necessary or proper for the better management of the said Prison and of the Prisoners confined therein, and for the prevention of abuses therein in future: And for this purpose We do by these Presents give and grant to you Our said Commissioners, or any two of you, full power and authority to cause all and singular the gaolers, keepers, and other officers and attendants of and belonging to or in anywise employed in or about the said Prison respectively, to bring and produce upon oath, before you or any two of you, all and singular the records, regulations, documents, books and papers, or other writings belonging to or appertaining to the conduct, management or treatment of the said Prison and Prisoners confined therein, which shall be in the custody of them or any of them respectively; and also to summon before you and examine upon oath (which Oath We do hereby authorize you or any two of you to administer) all and every person or persons who can give evidence upon all or any of the matters herein referred to you: And to the end that Our Royal Will and Pleasure in the premises may be executed with the greater regularity and dispatch, We further by these Presents will and command, and do hereby give full power and authority to you or any two of you, to nominate and appoint such person of ability, care and diligence, as you shall think fit, to be and act as your Clerk, for the purpose of aiding you in the execution of these Presents; and We further will and command, and by these Presents ordain that you or any two of you shall certify under your hands and seals, unto our Lord High Treasurer, or to the Commissioners of Our Treasury for the time being, what shall be a fit and suitable recompence for such Clerk's pains and service hereby required to be by him performed: And Our further Will and Pleasure is, that you or any two of you shall on or before the first day of November next, report unto Us, under your hands and seals respectively, your proceedings had by virtue of these Presents, together with such other matters (if any) as may be deserving of Our Royal consideration concerning the premises. IN Witness whereof, We have caused these Our Letters to be made Patent: Witness Ourself at Westminster, the tenth day of August, in the Fifty-second year of Our Reign.

By the Regent of the United Kingdom of Great Britain and Ireland.—In the name and on the behalf of His Majesty.

BATHURST and BATHURST.

WE, whose names are hereunder written, being the Commissioners appointed by His Majesty's Commission under the great seal of the United Kingdom of Great Britain and Ireland, bearing date at Westminster the tenth day of August, in the Fifty-second year of His present Majesty's Reign, to enquire into what has been and now is the condition and treatment of Prisoners confined in Lincoln Castle, and the conduct and management of the said Prison, and for other purposes relating thereto, Do, by virtue and in pursuance of the power and authority thereby enabling us in that behalf, hereby nominate and appoint *Samuel Yardley*, of Hoxton-square, in the county of Middlesex, Gentleman, to be and act as our Clerk, for the purpose of aiding us in the execution of the said Commission. Dated this eleventh day of August one thousand eight hundred and twelve.

Wm OSGOODE.
J. WEYLAND, Junior.
J. T. BECHER.

Appx. (A. 2.)

Sir, White-Hart, Lincoln, 11th August, 1812.

I AM directed by the Commissioners appointed by His Majesty's Commission to enquire into the condition and treatment of prisoners confined in Lincoln Castle, and the conduct and management of the said prison, and for other purposes, to acquaint you, that the said Commission will be opened to-morrow morning the 12th instant, at ten o'clock in the forenoon precisely. I am, Sir, your obedient Servant,

To Mr. Merryweather, Keeper of His Majesty's Gaol at Lincoln.

Samuel Yardley, Clerk to the said Commission.

To the Keeper of His Majesty's Gaol, the Castle at Lincoln.

(A. 4.) YOU are required to admit into the said gaol, all and every person and persons who shall or may be desirous of making any application or communication to the Commissioners during their sittings, under His Majesty's Commission, to enquire into the condition and treatment of prisoners confined in the said gaol; and the conduct and management of the said Prison, and for other purposes; and herein you are not to fail. Given under our hands at Lincoln Castle, this twelfth day of August 1812.

Wm. Osgoode, *J. Weyland*, jun. *J. T. Becher.*

Lincoln-Castle, 14th August, 1812.

(A. 3.) NOTICE is hereby given, That the Commissioners appointed by His Majesty's Commission to enquire into what has been and now is the condition and treatment of prisoners confined in Lincoln Castle, and the conduct and management of the said prison, and for other purposes relating thereto, have opened the said Commission, and are now proceeding thereon at this Castle, where all persons desirous of preferring any complaint, or offering any matter touching the objects of the Commission, may, by appearing forthwith, be enabled so to do.

By order,
Samuel Yardley, Clerk to the Commission.

Lincoln Castle Gaol, 15th August 1812.

(A. 8.) NOTICE is hereby given, That all persons desirous of preferring any complaint before the Commissioners appointed to enquire into the condition and treatment of prisoners confined in this gaol, and the conduct and management of the said prison, and for other purposes relating thereto, are directed to prefer such complaint on or before Thursday next, the twentieth day of August instant, after which day, no further complaint will be received.

By order of the Commissioners,
Samuel Yardley, Clerk.

(A. 5.) PRISONERS in custody in the Castle of Lincoln, 11th August 1812.

DEBTORS.

James Fisher,	George Jessop,	Thomas Rowett,
Susanna Horsley,	George Mower,	Joseph Houghton,
George Dawson,	Thomas Collinson,	John Hindley,
James Gibson,	Richard Esberger,	John Gibbons,
John Codd,	John Nelson,	Joseph John Lloyd,
Harriet Elliot Harrison,	Mary Hunter,	Edward Dickenson,
John Robinson,	Robert Row,	Thomas Dowse,
William Wressell,	Joseph Green,	James Rawlinson,
John Baker,	William Fields,	Joseph Jenny,
John Westerman,	James Atkinson,	William Hinds,
David Solomon,	Richard Palgrave,	Joseph Atkins,
Samuel Westerman,	George Balderson,	Thomas Parr,
Stephen Kent,	John Mason,	James Bycraft,
Thomas Robinson,	John Ogle,	William Parker,
William Upton,	Martha Brewer Wake,	John Fountain,
William Grenou,	William Ellin,	William Dale,
William Goodfellow,	James Nesbitt,	William Dixon,
James Green,	Joseph Torry,	John Johnson,
Samuel Chapman,	Richard Maidens,	Robert Marris.

CROWN PRISONERS:—Under sentence of Imprisonment.

Robert Kennington, for horse stealing.
John Drakard, for a libel on government.
Thomas Shepherd, for uttering counterfeit coin.
Thomas Newton, during the King's pleasure, having committed murder in a fit of insanity.
Joseph Barnes, for desertion from 76th Regiment.

Under sentence of Transportation:

Thomas Greatholders,	John Castle,	William Chamberlain,
Edmund Woolfitt,	Stovin Baker,	Abraham Needham.
John Thompson,	Robert Gibson,	

For Trial:—Thomas Croft, on a charge of forgery;—Ann Bennett, for a murder.

John Merryweather,
Keeper of the said Castle of Lincoln.

12*th August* 1812.

Appx. (A. 6.)

THE following prisoners severally appeared, and were desired by the Commissioners to state, whether they had any complaint to make respecting their condition or treatment, or respecting the conduct and management of the gaol, or any other matter touching the objects of the Commission.

Robert Marris, a debtor, stated that he had complaints to make against the gaoler, and the following magistrates, Dr. Illingworth, Mr. White, and Mr. Hutton.

J. Drakard, a prisoner, appeared, and stated that he had no charge to bring forward, except of personal incivility by the gaoler, and an objection to the extent of the area set apart for the exclusive use of the gaoler, (which extent is confirmed by the judges); and that the gaoler would not admit persons to see him, without his (the gaoler's) permission.

COMMISSIONERS.—Have you experienced any inconvenience by it?—No.

John Johnson says, he is at present employed as a turnkey; has been in that capacity a few weeks, and has no complaint to make.

William Dixon says, he has been a prisoner sixty-five weeks this day; he is allowed to work at his business of a shoemaker, and has no complaint whatever to make.

William Dale says, he has been a prisoner since the nineteenth of May one thousand eight hundred and eleven; that he paid one shilling and sixpence a week for half a bed, and was servant to Mr. Marris. That his wife is only allowed to visit him four hours in a day.

John Fountain, debtor, a groom, says, he has not any complaint to make; that he thinks the gaoler a proper man for his situation.

William Parker says, he has been in gaol since June 1811. That he has not any charge to bring against the gaoler; that he thinks Marris has been the cause of putting the gaol into a state of insurrection.

James Bycroft says, he has no complaint to make; that he has been in custody sixty-one weeks; that the gaoler has never to his knowledge taken any advantage of his prisoners; Marris has been the cause of the disturbances in the prison.

Thomas Parr says, that he is in custody for debt, upwards of sixty pounds, and has been in custody for fourteen months. That he has no complaint to make; the gaoler always behaved well to him.

Joseph Atkins says, he thinks Mr. Merryweather has not behaved well to him; that he is a carpenter, and has mended the chairs and forms, and he has only been paid seven shillings for his labour.

William Hinds says, that he has been confined forty-two weeks, is sixty-four years of age; and that Mr. Merryweather has always behaved well to him.

Joseph Tenney says, that he has no complaint to make, except being locked up from one till two o'clock, (which regulation has been approved by the judges.)

James Rawlinson says, he is in custody for a debt of twenty pounds. That there is not proper attendance by the apothecary; he (Rawlinson) had been ill twenty-eight days, and afterwards thirty-five days; that he applied to the apothecary, who only attended him three times in twenty-eight days; and who gave him a bolus, which purged him three days and three nights, and that he afterwards gave him two pills.

Thomas Dowse says, that the greatest complaint which he has to make is against the doctor. That he, Dowse, has been in custody since the sixth of November last; that he was ill, and made application to the doctor, through the medium of the market woman; that he was in custody twelve weeks, and never saw the doctor more than three times; and there is no infirmary set apart for sick prisoners.

COMMISSIONERS.—Did you apply to the gaoler?——No; I did not know that was the regular mode of application.

Edward Dickenson says, he has been in custody thirty-nine weeks, and that he has nothing to say against the gaol or the gaoler.

Joseph John Eloyd says, he is a debtor for one hundred and seventy-five pounds; that he has had only one pair of linen upon his bed for several weeks.

COMMISSIONERS.—Did you make any complaint to the magistrates?——Yes.

What was done in consequence of it?——The grievance was removed.

John Gibbons says, that he was eighteen weeks without clean sheets.

COMMISSIONERS.—Did you ever complain to the magistrates?——No.

How are the sheets now?——It is now remedied.

John Hindley says, that he has no complaint to make.

Joseph Houghton says, that he came to the prison on the first of January last, and that his wife is allowed only four hours in the day to see him, and that Dixon's wife remains in the prison the whole day.

Thomas Roach says, he has no complaint to make.

Richard Maiden says, he has been in confinement twenty-eight weeks, and that he has no complaint to make.

Joseph Torrin says, he has no complaint.

James Nesbitt says, he has been an innkeeper. That the gaoler charges one shilling a week for a chair, in the room called Bedlam; that he has now a chair of his own; and notwithstanding, the gaoler demands the shilling a week; that he finds his own bed and linen, and pays only a shilling a week.

William

Appx. (A. 6.)

William Ellin says, he has no complaint.

Martha Brewer Waite says the same.

John Ogle says, that he has no complaint against the gaol or gaoler, but that he pays a shilling a week for a chair.

John Mason says, he has no complaint, except a payment of one shilling a week for a room without a sufficient number of chairs.

George Balderson says the same as the former.

Richard Palgrave says, that when there is any one taken ill, Mr. Merryweather does not pay proper attention; that Mr. Merryweather does not see the prisoners when they are ill.

James Atkinson says, that he has no complaint to make.

William Fields says the same.

Joseph Green says the same; that the debt against him is seventy-four pounds.

Robert Rowe says, that he has no complaint to make against the gaol or gaoler; that he has been in custody since May last.

Mary Hunter says, she has no complaint to prefer; that the gaoler always behaved very well to her.

John Nelson says, he has no complaint.

Richard Esberger says, he has no complaint, except the price of the beds.

Thomas Collinson says, he has no complaint; but that there is a want of medical assistance.

George Mower says, he has no complaint to make.

George Jessop says, that he has no complaint to make against the gaoler.

Samuel Chapman says, that he has no complaint to make.

James Green says the same.

William Goodfellow says, that he has no complaint to make respecting himself; but there was great neglect respecting Godfrey who died; that there is very bad attendance upon the sick.

COMMISSIONERS.—How was Godfrey neglected?——He ought to have had more spirits.

What quantity had he?——Only four-shillings-worth of gin, between the day he was taken ill, and the day he died.

How many days was it, from his being taken ill, till he died?——Three days.

William Grono says, that there are only nine or ten chairs in the room called Bedlam; that he thinks Godfrey was neglected.

COMMISSIONERS.—Do you know what quantity of spirits he had, from the time of his being taken ill, till he died?——Yes, four-shillings-worth of gin.

William Upton says, that he has no complaint against the gaoler; that Marris has abused him, because he would not sign a petition to the sheriff, respecting supposed abuses.

Thomas Robinson says, that he has been ill, and had no apothecary to attend him; that he has applied to the apothecary, but he did not come.

Kent says, he kept a public-house; that there were eight beds, and fifteen persons slept in one room.

COMMISSIONERS.—How many beds are there now in a room?——It has lately been altered; there are now only four beds in a room.

Samuel Westerman says, he thinks they pay too much for beds; that he has no complaint for personal ill-usage.

David Solomon says, that the gaoler has, for the short time he has been in prison, behaved very well to him.

John Westerman says, that he has no complaint to make.

John Baker says, that he has no complaint to make.

William Ruffel says, that he has no complaint.

John Robinson says, that eighteen prisoners are locked up together at one o'clock in the afternoon; that the gaoler never attends, or enquires after the sick prisoners.

COMMISSIONERS.—Have you been neglected?——No; I never have been ill myself.

Harriet E. Harrison says, that she has no complaint to make, but has always been treated with great civility by the gaoler.

Thomas Cobb says, that he has no complaint.

James Gibson says, he has no complaint.

George Dawson says, he has no complaint.

Susannah Horsley says, that she has no complaint to make; that the gaoler has always behaved very well to her.

James Fisher says, that he has no complaint.

13*th August*, 1812.

Robert Kennington says, that he has no complaint to make against the gaoler, but that he don't pay him for his labour; that he works in the hot-house and garden, and does not see the gaoler above once a week.

COMMISSIONERS.—Does the gaoler ever advise with you for your good?—Yes; the gaoler gives me good advice.

Does the chaplain ever talk to you?——No; I have never been visited by him, except at prayers.

How often does the surgeon attend?—He comes when he is sent for.

Thomas

Thomas Greatholders, under sentence of transportation for stealing geese, says, that he has been constantly employed in cultivating the garden; and that the gaoler has not paid him, but occasionally given him beer, amounting to about four shillings and eight-pence. Appx. (A. 6.)

COMMISSIONERS.—Does the chaplain visit you?——No; the chaplain never visits them, except at prayers.

Does the surgeon attend?——Yes; he comes when sent for.

John Castle says, he has no complaint to make.

COMMISSIONERS.—Do you work for the gaoler?——Yes, in the garden, with my iron on.

Does the chaplain attend you?——Yes, three times a week; but he never visits us in private.

Thomas Shephard says, he has no complaint; he works sometimes in the garden; that he had the means of getting a stocking-frame, and asked the governor to let it come into the prison, but the governor told him, it was not allowed; that he has a wife and two children, and could have earn't twelve or fifteen shillings a week; that he is confined by himself.

COMMISSIONERS.—Does the clergyman attend you?——He attends three times a week, but never visits me in private.

How often are you visited by the gaoler?——The governor visits me in my cell, once or twice a week.

Edward Woolfit says, he has no particular complaint; he understands that shirts and such things are allowed by the county; that it was six weeks before he had a shirt given him; the shirt which he has on, he wore a fortnight, and took it off, to wash it himself, and he went to chapel without a shirt, because he has only one. He has been in custody eleven months.

COMMISSIONERS.—Does the gaoler look at your linen?——No; I wash my shirt when I please; after I was tried, I asked the gaoler to let me work at my trade, but he refused.

Does the gaoler visit you in your cell?——I have not seen the governor above two or three times in my cell, since I have been here, eleven months.

John Thompson says, he has no complaint to make.

COMMISSIONERS.—Does the chaplain give you religious instruction?——He gave me some books.

Does the gaoler attend you?——I never saw the gaoler in my cell while I have been here, three months.

Stovin Baker says, he has no complaint to make.

COMMISSIONERS.—How often does the chaplain attend you?——He comes three times a week, but never visits us in private.

Does the Gaoler visit you?——I never saw the governor in my cell.

William Chamberlain says, he has no complaint to make against the gaoler.

Robert Gibson says, he has no complaint to make against the gaoler; that he is a taylor by trade; and he asked the governor to let him work, but the governor said, he did not know that he could.

Abraham Needham says, he has no complaint; he has only one shirt, which is his own.

Thomas Croft was the last prisoner that appeared; and on being questioned, stated, that he had no complaint to make.

The Commissioners having observed, that *Joseph Atkin*, one of the debtors, complained that the gaoler had not paid him for work done by him as a carpenter, directed that he should be called to explain the nature of his demand against the gaoler. (A. 7.)

Joseph Atkin says, the gaoler never behaved ill to him; that he told Mr. Merryweather, he thought it was hard he should work for nothing; that he, (Atkin) told Marris, that the gaoler had not paid him; Marris said, he would write to the sheriff about it; that the under-sheriff afterwards called on him.

COMMISSIONERS.—What did the sheriff say?——He never gave me an angry word.

Did you demand of the gaoler the amount due to you?——No; I never asked Mr. Merryweather for any particular sum.

Who ordered you to do the work?——The prisoners broke the chairs, and desired me to mend them.

Did Mr. Merryweather order you?——I did not receive any order from Mr. Merryweather; I was not employed by him.

Mr. *Merryweather* says, that he never employed Atkin; that he, Atkin, never gave him a bill. That Atkin repaired the chairs, contrary to his (Merryweather's) order, and against his will; that the prisoners broke the chairs, and employed Atkins to mend them; that it was done out of spite, to spunge upon him (Merryweather.)

That with respect to Greatholder's complaint, all the prisoners maintained by the county, are employed in the Castle to do necessary jobs, and cultivate the garden, &c. with the approbation of the justices.

William Dawber, Cornfactor, Newland in Lincoln, voluntarily appeared, and stated, That he is a freeholder of the county; that he has known this place for twenty years. That all the partitions on the south side of the area, have been made within these last ten or twelve years; those who do the most work for the least money, are the gaoler's favourites. That the Governor raises a good deal of fruit, and, as he believes, makes presents to the judges when they come in the summer, and to the justices. That the County Hall used to be kept open in Assize time; you must now pay for admission into the gallery; that he has paid the gaoler's servant for admission; that the magistrates take up a great part of the Hall; and that he only knows it by report. (B.)

Appx. (C.)

WILLIAM ALLEN, Examined on Oath.

Where do you live, and what are you?——In Horncastle; I am a labourer.

Have you any complaint to make?——Yes, I have, against the turnkey and gaoler, for ill-usage.

State the nature of that ill-usage.——I was taken down below by the turnkey, and there stopped five days, and in an up-stairs cell at night. I got a very bad cold by it, which took away the use of my limbs; never got shut of it till I got home, and got some advice from a doctor; I begged very hard for pardon of the turnkey, to come out. The turnkey said, he would send the Governor down; the Governor came to me, and I told him it was a very hard thing I should be shut up there, and denied the use of pen and ink, which I was for the first day, and part of the second; I told the turnkey, I would give him any thing in my power, if he would get me out; I immediately gave him half-a-crown; he told me, he would go to the Governor, and get me out. In the course of two or three hours, he came, and said, "you may come out." I told the Governor you were very bad, nearly dead, and the other man with you very ill; you had suffered enough. I was put in a second time some months after. I was walking from the Castle-gate up the ground with Geo. Dewick; John Lowder came and said, "you are talking about my business." Immediately the Governor put his head out at the window, and said, "Allen, I'll put you down again, and you shall stop till you go out of the Castle." I begged the Governor's pardon; he said, "this is the second offence." He put me into another cell, where I could get no redress till the market woman came: I offered her my watch, to get money to supersede me out. Mr. Marris came to me. I got a bad cold, and lost the use of my limbs, and spit blood; the turnkey fetched me to my cell in the morning. The turnkey said, "who is that coughing?" I said, "I shall lose my life if I stop here;" and said, "if you will let me out, let come what will, I will submit;" the Governor replied, "go along, you villain, to your cell;" I went down on my knees, and then he said, "you may come up into the yard."

What was the cause of your being put in?——For going into a room called Bedlam.

WILLIAM DALE, a Debtor.

Were you present when Allen was put into confinement?——Yes; I saw Allen taken down; he appeared to be drunk; I heard a noise in Bedlam just before.

JOHN MERRYWEATHER, Gaoler.

I have had repeated complaints against him; have seen him repeatedly drunk and disorderly; he would not keep in his own room, but was disturbing those in another room called Bedlam; as they could not get him to quit the room, I ordered the turnkey to take him down, he being very powerful. He was drunk and disorderly at that time; he was confined in the usual place for refractory debtors, allotted since by the rules and orders of the justices, and confirmed by the judges.

For what reason was he confined a second time?——I do not recollect the circumstance; but would not have confined him unless disorderly.

Do you not keep a journal or record of punishment?——I do not; I have no recollection of his illness.

WILLIAM TUXFORD, Sworn.

What are you?——I was formerly turnkey of Lincoln Castle.

Was you the person who took Allen down?——Yes.

State your reasons for so doing.——Because two men came to me out of Bedlam, and said, that Allen had kicked the table down, and that he had broke the table; that they could not get him out of the room, and insisted upon it that I should, and that if I did not, they would go to Mr. Merryweather (the old gentleman); the gaoler was out at a club night. Allen swore they might fetch the Governor, and all the turnkeys they pleased, but they could not get him down below. I went up to him, and he threw the door in my face. I asked him civilly to go into his room, he swore he would not. I took hold of him, he resisted, we had a struggle, he tore my clothes all in bits: I had a new shirt on, which he tore in pieces.

[*Cross-Examined by Allen.*]

Did not I ask to go into my own room?——No, you did not.

Had not you a spite against me?——No; I never had any malice against you.

Question by Commissioners.

Did you ever receive money from Allen?——Allen never gave me half-a-crown to let him out; the second day after he was down, he gave me half-a-crown as a recompence for tearing my clothes; he had torn a new shirt, and done my clothes more than half-a-crown's worth of mischief.

Are you a turnkey at present?——I am not a turnkey at present in this gaol; I am not in any respect at present under the gaoler's controul.

(D.)

Lincolnshire (to wit) } MARY EVISON, of West Ashby in the said county, wife of John Evison, labourer, maketh oath and saith, that having been committed to Lincoln Castle, on a charge of felony, in the month of November 1799, she experienced great cruelty from John Merryweather, the gaoler of the said prison; that deponent was at the time of her committal, pregnant from her husband, and the gaoler was so informed; that soon after her committal, she was afflicted with a fever, in consequence of which, it was ordered by Mr. Franklyn,

Appx. (D.)

Franklyn, the attending surgeon or apothecary of the prison, that she should be furnished with a warm sleeping cell, with a fire, and allowed to remain there, or go down stairs with the other female prisoners, as she felt herself disposed and able; that notwithstanding such order, Mr. Merryweather, on the 19th of January 1800, came into her cell, and angrily asked her why she did not go down stairs with the other women; to which she replied, she was unable; but the gaoler observing that Audrey Appleyard, a female convict, who slept in the same cell with her, and who was believed to have been criminally connected with him, said that deponent was quite recovered; insisted upon her going down stairs, abusing her grossly for her hesitation to do so, adding, "I will give you but ten minutes, you damned troublesome ——— to put on your clothes, when Beaston shall come to take you down, and if not then ready, I will come myself and throw you down stairs;" that she said, he might do as he pleased, and that she was not able to go down; Beaston the turnkey, however, who always behaved humanely to the prisoners, having assisted her in putting on part of her clothes, she was compelled to go down stairs, being supported by Beaston; that upon deponent's being seated in the room where the other women were confined, she asked Audrey Appleyard how she could tell the gaoler the falsehood before-mentioned, but Appleyard laughed at her, boasting that the governor had a great regard for her, and would believe any thing she told him; that deponent continuing extremely ill, was assisted up stairs to bed by some of her fellow prisoners in the evening; that next morning, when Beaston opened the door of her cell, she stated to him, that she was so much worse than on the preceding day, that she was quite unable to get out of bed or put on her clothes, in consequence of which, he gave her leave, without consulting the gaoler, to be until eight o'clock; that she contrived to get out of bed about eight o'clock, and after putting on part of her clothes, she fell down and miscarried that soon after putting the child in the chamber-pot, Ann Seaton the caterer knocked at the door, and deponent begged her to bring up some of the women to her assistance; that upon the other women being admitted into the cell, deponent was, with only part of her clothes on, lying on the cold brick floor, unable to move; that deponent observed to the women (Appleyard and Hannah Smyth) that she apprehended what had happened would be the consequence of the gaoler's conduct to her the day before; that the aggravation of her illness being stated to Beaston, and that what the governor had done the day before, would bring her to her time, deponent feeling it indelicate to explain the whole to any but the medical attendant, Beaston appeared much alarmed; and she begged the women to put her to bed, but Beaston said, he durst not allow that, as the governor had the night before commanded him to have her brought down stairs, adding, that he was afraid of the governor, for not having taken her down with the other female prisoners early in the morning; still, upon farther remonstrance, Beaston was induced to go to the governor, to report deponent's situation, and entreat leave for her to remain in bed, but the report had no influence, the goaler insisting that deponent should be taken down stairs, and she was, with the assistance of the women, taken down accordingly; that shortly afterwards she fainted and became so ill, that the women knocked loudly at the door for the turnkey, who at length came, and the women represented to him, that deponent was so ill that she must go to bed and have the doctor; that the turnkey proceeded to the gaoler, and upon his return said, that deponent was ordered to be removed to another sleeping cell, without fire, as she had too much indulgence, and was therefore taking airs upon herself; that deponent was accordingly, in very cold frosty weather, taken to a fresh cell, and Doctor Franklyn sent for; that upon her description of what she suffered, the Doctor, after expressing his surprise at her removal from her usual sleeping place, exclaimed, that the gaoler had given her a death stroke; that the doctor immediately proceeded to the gaoler, and soon after returned to deponent with Doctor Parnell and the gaoler; that upon some consultation it was proposed by the doctors, who appeared to consider the state of deponent as peculiarly dangerous, to call in the advice of another doctor; but the gaoler earnestly entreated them not to do so, lest the business should become public in the town, expressing his hope that by good attendance deponent would recover, without resorting to Doctor Wells, or any person likely to speak of her situation, and promising that she should be removed to her former sleeping room, and supplied with every necessary comfort; that the gaoler anxiously urging his entreaty to the doctors, that they should not mention the matter out of doors, lest he should be brought into trouble, begging for mercy, as should deponent die, he might suffer; and repeating the fairest promises, had deponent removed to her former cell; that the doctors remained some time with deponent, in the course of which, Doctor Franklyn expressed his astonishment to Doctor Parnell, that the gaoler should have persuaded him to treat deponent as he had done, recollecting his (the doctor's) orders, as he ought, knowing her situation as he must, and aware as he was, that he (the doctor) had been attending her for six or seven weeks; that upon deponent's telling the doctor that she had no nourishment whatever from the Friday evening before (it being then Monday) because she did not go down stairs with the other women; that during the Saturday and Sunday the gaoler would not allow any person to furnish deponent with food; that for some days and nights after her miscarriage, deponent was very well attended to, Audrey Appleyard being appointed to remain in the room both day and night, from which however she was taken now and again by the gaoler, for the purpose of a criminal connection with him, as she herself confessed to deponent; that about twelve days after the miscarriage, the gaoler's housekeeper and Appleyard refusing to wash any of deponent's linen or clothes, insultingly desiring her to do to herself, and she being in consequence obliged to go down herself to the wash-house in cold snowy weather, she again became extremely ill, even worse than before; that she caught an under cold, and upon being seen by Doctors Franklyn and Parnell, they seemed to despair of her case; that deponent, however, recovered, with the care of Doctor Franklyn, in about two months, in the course of which,

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which, the doctor frequently declared that he would inform the judge of assize of the gaoler's misconduct, it being always understood that any report of such misconduct or ill-treatment of prisoners to the visiting magistrates, would have been utterly useless; that still when the doctor called to see deponent on the 8th day of March 1800, which, according to her recollection, was the first day of the assizes, he dissuaded her from mentioning any thing about her ill-treatment to the judge, when brought to trial, by urging, that as the ill-treatment was over, it would do her no service to complain to the judge, while it might do much harm to the gaoler, from whom the doctor encouraged her to expect kind treatment, should she happen to be convicted, and remain in the prison; that deponent was thus influenced to give up her intention of complaining to the judge before whom she was tried, and by whom she was sentenced to death, which sentence was afterwards commuted for transportation; that after her conviction deponent still continuing unwell, she was allowed to remain a-bed for some time in the morning after the other female prisoners were taken down stairs; and the gaoler availing himself of such opportunity, took advantage of her situation, and had criminal connection with her; that he obtained his object under the influence of fear and of promises, but he never gave her any money, or granted her any particular favour; that in consequence of such connection deponent became pregnant; that still in August 1801, she, with two other female prisoners, was taken from the gaol to Deptford, in order to be transported pursuant to her sentence; that she and her companions in this conveyance were handcuffed, chained, round-locked to the roof of the coach, while the gaoler travelled inside; that on her arrival at Deptford, she was placed on board the transport, entitled "the Earl Cornwallis," where she remained eight or nine weeks, and where she received the most humane treatment. That from Deptford she was conveyed to the Isle of Wight, where she underwent an examination by Sir Jerome Fitzpatrick, the inspector of transports; who in consequence of a description of her illness, her having a large young family, and being subject to fits, was pleased to order her re-conveyance to Lincoln gaol; that according to such order, she, with four other female convicts, were sent back to Newgate, from whence she was in the month of October taken by Richard Cox, the turnkey, to Lincoln Gaol. That upon her arrival at this gaol, the gaoler met her in the yard, and asked her how she did, to which she replied, "Better than I have been, I thank you, Sir; I had the fever on board, and was unable to "move from my bed without assistance, for several days." "Damn you, (said he) why did "not you die?—I'd as lief see the Devil as you; take her down to a solitary cell, and there let "her remain." That this took place upon a Monday, on which day she had dined at Folkingham about four o'clock, and from that hour until Wednesday about noon, she received no nourishment whatever, not even water to drink, the cell in which she was confined having been so long locked, and no person allowed to have access to her; nay, as she had been informed, Ann Seaton, the caterer, was prevented from seeing of her, and a door in the passage of the prison, which had been usually open, was locked, so that no one could even approach the door of deponent's cell. That Richard Cox, the turnkey, who brought deponent some bread, and a bucket of water on the Wednesday, was the first person she had seen since the preceding Monday, and to him she was afraid to complain, apprehensive, from her experience of the person, that such complaint would only serve to aggravate her treatment. That deponent was, upon her arrival at the prison, very ill, and she daily became worse from the treatment she received, having nothing but the county allowance for her support, and no friend being admitted to see her; even her own sister Elizabeth Steads, after coming from Boston to see her, being refused admittance, as deponent was informed by the said Elizabeth herself, fully believes. That Doctors Parnell and Franklyn, on seeing the situation, and being informed of the treatment of deponent, expressed to the gaoler their opinion, that it would be proper to allow her better subsistence, but the gaoler replied, that she had had much better accommodation in the prison before she went to Portsmouth, than she experienced on board, and that that was her reason for her applying to come back and be farther troublesome, adding, that she was then much better treated than she deserved. That the gaoler always appeared particularly uneasy and indignant while deponent was in a state of pregnancy. That on the 19th of January 1801, about noon, Doctor Franklyn and the gaoler visited deponent, and asked her how long she had to go before she expected to be delivered; to which deponent, after requesting what, in her unhappy situation, answered, that she expected her delivery daily. That the gaoler, on hearing this answer, angrily exclaimed, "I shall lose my place through this damned Devil," and he with the doctor withdrew into the passage, from whence, after they had conversed some minutes, the doctor returned, and told deponent, that he would immediately send her something that would be of service to her; that about five o'clock on the same evening, the turnkey Richard Cox, came into deponent's cell, telling her, that he brought her an emetic from the doctor; upon examining which, Mary Short, an old woman who had been for some time before confined with deponent, advised her strongly not to take it, observing that it was nothing but mercury. That deponent herself objected to taking this medicine; but Richard Cox mixing it with a tea-spoon in a cup of warm tea, said, that deponent must take it as she was ordered; and accordingly Cox standing over her, she drank it, under the influence of fear. That after drinking the tea-cup full, the said Cox poured in more tea, and obliged deponent to take the rincings of the cup; that soon after deponent drank the said medicine, she became very sick, being attacked by a violent pain in the head, and she continued extremely ill throughout the night. That when the turnkey came on the following morning to unlock the cell door, Mary Short described deponent's situation and sufferings through the night, but he betrayed no pity, and withdrew, without making any observations That when the doctor came about nine o'clock, Mary Short described the state of deponent, for she was unable to speak herself, but the doctor expressed his hope that deponent would be better shortly, and retired, without ordering her any thing whatever. That however,

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ever, he returned soon afterwards, and visited her three or four times in the course of that day. That about three o'clock in the evening of the 20th, namely, twenty-two hours after taking the medicine, deponent was, with the doctor's assistance, delivered of a dead child. That his child was alive on the preceding day, deponent was sensible, and particularly through the agitation created by the circumstance under which she took the medicines. That within a few days after taking this medicine, the hair fell off her head, just as if it had been shaved; that for about three weeks deponent was unable to get out of bed; and that under such circumstances, she was left for about seven weeks, without any other nourishment than the common county allowance, without any person to attend or clean her; Mary Short, her fellow prisoner, being above 70 years of age, and unable to render her any material assistance. That deponent, in consequence, was in a state of deplorable filth, being occasionally visited by the doctor, from whom however she received no relief, although Mary Short frequently entreated him to procure for deponent some better nourishment and accommodation; that in the course of the period when she was so afflicted, deponent heard Richard Cox desire the under-turnkey (Plowright) to force her out of bed, at the time Mary Short got up, saying, "If she won't get up, I'd advise you to take the bucket of "water and the mop to swab her out, damn her." But Plowright could not be persuaded to do so, nor did he ever use deponent ill. That during such sickness and suffering, the gaoler never once visited deponent, or ordered her any relief, or to her knowledge even enquired into her condition. That immediately after the Lent Assizes in 1801, deponent heard the gaoler talking with Doctor Illingworth and Mr. Hutton, the magistrates, in the passage outside her cell door, when the gaoler said, "Here is a ship getting ready to take "female transports to Botany Bay, and I shall send Mary Evison, as she is now better; "indeed I shall go with her myself to the ship, and there see the end of her." Mr. Hutton observed, that he understood it was the order of the Duke of Portland, that Mary Evison should stay her time of sentence in the gaol; to this the gaoler said, deponent was sent back from the ship in consequence of her illness, and being now much better, he would move her again: Mr. Hutton then expressed an opinion, that moving her again would be putting the country to unnecessary expense; as they had declined to take deponent before, they were not likely to take her again. The gaoler stated, that he thought they would take deponent to Botany Bay, as she was so much better then, than before at the transport. That the magistrates entered deponent's cell, and Mr. Hutton asking her how she did, she answered, better than she had been: Mr. Hutton enquired of the gaoler why deponent was shut up in that cell, instead of being in the room assigned to the other female prisoners; and the gaoler answered, that he did not think it proper, from the state of deponent's health, to put her with the other women, lest she should be unable to bear their noise: that this excuse appeared to satisfy the magistrates, who ordered deponent no relief whatever, although she complained of the treatment she received, of having been shut up in the same cell since her return from the transport in October, of being nearly starved, from want of proper nourishment, and of being denied the opportunity of seeing any friends who might relieve her, and of being, in fact, worse treated than any other prisoners in the gaol to her knowledge. That Mr. Hutton, however, some days afterwards, had some cloth sent to deponent to make shirts for the convicts, for which she received sixpence a-piece from the gaoler; and this sum, with some money she received from Mr. Low of Lincoln, for knitting stockings, served to furnish her with better food. But before this relief, she declared, that for twenty-four weeks, during which she had suffered miscarriage, disease, and other misery, as already described, she had never had any other subsistence than bread and water, with the exception of one ounce of tea and one pound of beef, having been obliged to sell her usual allowance of beef, in order to buy coals, the coals allowed by the gaoler being insufficient to keep her cell warm. That in the course of the before mentioned suffering, she was informed by the under-turnkey (Plowright) that the debtors in the prison would have sent her some nourishment and assistance from time to time, if he dare take it to her; but that he was charged by the gaoler, and the turnkey Cox, not to do so. That from this and other facts connected with the ill-treatment of deponent, she declares her belief, that the gaoler wished her death, provided death did not commit or risk himself; that on the 23d day of May 1801, deponent was, unaccompanied by any other convict, taken from the prison by the gaoler, in order to be transported, and that on their journey, the gaoler, taking advantage of her situation, was criminally connected with her: that on their arrival at the Goliah transport, at Spithead, deponent had again a communication with Sir Jerome Fitzpatrick, who expressed his surprize at seeing her, and asked the gaoler, whether deponent had misbehaved in prison, and how he came to bring her to the transport, after she had been before sent back, and after the order of the Duke of Portland, that she should spend the period of her sentence in Lincoln Castle; the gaoler replied, he had no complaint to make against deponent, but that the farmers belonging to deponent's parish applied to him to remove her, as, in case of her release at Lincoln, she would be a burthen upon the parish. Sir Jerome said, that that was an absurd excuse, to burthen the country with expense merely to relieve a parish; that the gaoler ought to pay the whole expense of this journey out of his own pocket; that upon deponent's stating to Sir Jerome the treatment she had experienced in gaol; that for the seven months since she had seen him, she was locked up in a small cell, without ever being allowed to go to chapel, he expressed his indignation, and strongly reprobated the gaoler, and ordering him to take deponent back again and use her better, adding, that if he (Sir Jerome) heard any further complaints against him (the gaoler) he would report him, and that he should be discharged from his place; that the gaoler, in consequence of this lecture, promised to treat deponent better; that indeed she should have every indulgence the prison afforded, as she

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was deserving of it. Sir Jerome then asked, if he knew deponent to be a deserving woman, how he came to treat her so ill; the gaoler declared that he did not know she had been so ill-treated; that her ill-treatment was not owing to him, but to the turnkey; Sir Jerome observed, that that was no apology, as he was bound to see that his prisoners were not ill-treated by his turnkeys: here the conversation ended, but deponent declares, that the gaoler's professed ignorance was a mere pretence, as appears from the foregoing statement, and as will be still more manifest from what follows. That deponent however did not state the whole of her suffering to Sir Jerome Fitzpatrick, because, being ordered back again to Lincoln, she was afraid, had she told all, her life would have been sacrificed, and because, also, she was something softened, by the gaoler's promises of better treatment. That on the day after the before-mentioned conversation, deponent and the gaoler reached London, and that she was committed to Newgate, where she remained about ten days, while the gaoler, as he confessed to deponent, was enjoying the pleasures of the town. That on her return to Lincoln Gaol, deponent was allowed a feather-bed, and to live in the department assigned to other female prisoners, besides the opportunity and profit of working for the male prisoners, both debtors and felons; that she owed these indulgences to the gaoler, in consequence of her compliance with his desires, which she felt that she dare not refuse; that through such compliances she became pregnant in October, but her pregnancy was not suspected by any person until about the Lent Assizes 1802, excepting by the gaoler's housekeeper; that when her pregnancy was communicated to the gaoler, he became, as she understood, extremely indignant, and the doctor (Franklyn) called upon deponent to enquire into the fact; she told the doctor, that Mr. Merryweather was the father of the child, and that she never had had any connection with any other man since her committal. The doctor then exhorted her to be silent about it, as, if it became known, it would do the gaoler great harm: the doctor further asked, whether Richard Cox, the turnkey, had any connection with deponent, and she answered, he was as clear of it as the child unborn; that indeed he never even put to deponent a question upon the subject; and the said Cox immediately after made a similar protestation to the doctor in deponent's hearing; that the gaoler never had any criminal connection, nor for some time even common conversation with deponent after this visit of the doctor; that a day or two afterwards deponent was deprived of the feather-bed she had had since her return from Spithead, and left to sleep on bare boards; that from thenceforth the turnkey, Richard Cox, materially altered his behaviour towards deponent; that in fact he behaved most brutally, frequently taking hold of deponent, shaking her till she became insensible, flinging her on the ground in the yard and against the walls in the cell, by which she was often severely hurt; that such ill-treatment, at which, when she informed the gaoler, shewing him her wounds in various places, he merely joked, proceeded, as she understood and fully believes, from a wish to produce her miscarriage; that she so mentioned to the gaoler, and he replied, that if she were pregnant, it was no matter how soon she miscarried. That upon her stating to the gaoler, that Cox had taken away the feather-bed, without any bed whatever, or blankets or straw, he observed, sneeringly, "Now you lie level on the boards," and she found her entreaties for blankets or bedding quite unavailing. That farther, with a view to produce her miscarriage, and so please the gaoler, as she understood and believed, deponent being one morning engaged in making a fire, and stooping, a bucket of water was thrown upon deponent by a male convict (John Hutson) under the direction, as she believed, of Cox, who was present at the time: that deponent caught a severe cold through this action, and was ill for some time; that indeed she was so ill on the Sunday following, as to make it necessary for the turnkey to support her out of the chapel in the middle of Divine Service, and on the Tuesday following she was so very poorly as to be unable to go to chapel; but on telling Cox so, he said, she must go, and he forthwith took her up in his arms in the wash-house, and thence taking her into the yard, flung her down upon the sink; that immediately afterwards, the said Cox raised deponent up, and thrusting her on before him towards the chapel, frequently gave her a thump on the back. That in the evening of that day the said Cox removed deponent from her usual sleeping cell and put her into another, with a bed so filthy and full of vermin, that it was unfit for any person; that this bed had been left in such a state for some months, since it was occupied by two poor men who had been executed for sheep-stealing; that deponent told the said Cox, that she could not sleep upon such a bed, in tears entreated him to let her go sleep on the boards as usual in her former cell, which was so much cleaner, but to this, Cox said, "if you do not like to sleep on that, "you may lie on the floor, and be damned," with other abusive expressions; that Cox then locked the door, and left her; that on the evening of the next day, deponent, from the window of her cell, which looked into a little yard of the gaoler's, begged the gaoler's housekeeper to ask for liberty to return to her former cell, at the same time complaining that Cox had put her into that cell the night before, and never called upon her through the day, although she was very ill; that shortly afterwards the housekeeper informed deponent, that her application to the gaoler had been unavailing, and that he said, that Cox had put deponent there, and there she should stay; that Cox never visited deponent, nor did any other person, nor was her cell ever opened from the Tuesday evening before-mentioned, until the Thursday following, about noon, during which interval, deponent had no nourishment whatever, not even water to drink; that when Cox came to deponent on Thursday, she described her situation, urging that he might as well at once put an end to her life, as treat her so; but her appeal to his humanity had no effect, nor does she believe that she would even then have been let out of the cell, if Cox and the gaoler were not afraid of her calling out to the clergyman and the debtors as they should pass her cell door to the chapel that day; that deponent was so weak as to require assistance to help her down stairs; that on the following day deponent stated her case to Doctor Franklyn, telling him fully how barbarously

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barously she had been used, particularly by Cox, how cruelly she had been treated respecting her bed, that she had been left to lie five weeks on the boards after the feather-bed was taken from her; that the doctor, upon such complaints, expressed anger, and reprimanded Cox, threatening to call in the magistrates, but Cox replied rudely to the doctor, for whose words he appeared to feel no respect, and said, that deponent was treated as well as she deserved, adding, that she was no more with child than he was, whatever she said; the doctor, however, observing that the deponent was pregnant, and that in all probability she would be delivered in a few weeks, ordered the turnkey to remove her to her former cell, to furnish her with a proper bed and blankets; that she was removed to her former cell, but the order as to bedding, was not altered to some days afterwards, Richard Cox having gone from home; the doctor called, and finding his order was not obeyed, had deponent provided with straw and blankets: that in the month of June, the doctor paid deponent an unexpected visit, and assured her, that if she would be silent as to who was the father of the child, the child would be taken proper care of, and herself also provided for; this assurance, which the doctor professed to give her on the authority of Mr. Merryweather, deponent believes to have proceeded solely from a desire on the part of the gaoler, to prevent his misconduct from being public out of doors. That on the 21st of July 1802, deponent, after much ill-treatment, was delivered of a female child; and when the gaoler's housekeeper saw it, she observed, that as soon as he was informed that the child was born alive, he would swear so, and be so cross, there would be no abiding in the place with him; Doctor Franklyn, who was present, said, the gaoler should avoid such things, and asked, angrily, whether she could imagine, that he would murder the child to please the gaoler; that the day after her delivery, Mr. Kent, the attending clergyman of the gaol, came to her cell, accompanied by Mrs. Rusling, the wife of the outer turnkey, by whom deponent understood, said Kent was informed of her delivery; that Mr. Kent observed to deponent, that he was surprised to hear of her delivery, as the gaoler had told him some time before, that her appearance was owing to a dropsy; that in due time the deponent was churched by the said Mr. Kent, who after learning from Mrs. Rusling, that the child did not belong to deponent's husband, observed, that it was of no consequence to him who the father was, nor did he desire to know, and then gave it full baptism as Anne; that about two months afterwards, the said Mr. Kent told deponent, that if she wished at any time to see her child's register, he registered her as "Anne the daughter of John and Mary Evison;" upon which, deponent expressed her astonishment, as he had been so recently informed by Mrs. Rusling, that it was not her husband's child. That in consequence of the before-mentioned promises made to her by Doctor Franklyn, who paid her proper attention, and the fear of the gaoler's revenge, with Mr. Kent's express indifference on the subject, deponent did not tell him who was the father of her child; that Doctor Franklyn, who paid her proper attention during illness, brought her, in pursuance of his promises, three shillings a week for the maintenance of her child, to which was added double county allowance of provision; that the doctor told deponent some time afterwards, that the extra expense occasioned by the lying-in, was charged upon the county; that at the rate of three shillings a week, deponent received twenty pounds before her liberation, which liberation took place in 1805, namely, about two years before the expiration of her sentence; that such liberation was produced, as the gaoler told deponent, in consequence of his recommendation of her to the magistrates, for her good behaviour. That although Cox the turnkey was dismissed from his situation by order of Mr. Hutton, one of the magistrates, as she understood, for cruel conduct to a debtor, above nine months before deponent's liberation, he was still permitted by the gaoler to visit the prison, and to exercise authority; that in the exercise of such authority, he actually compelled deponent, by brutal threats, on the eve of her liberation, to give him money for the alleged use of a person who had no claim whatever upon her, and to whom she had no opportunity of knowing whether any such money was ever paid; that when, on the 11th of May 1805, the gaoler, accompanied by William Ambler the turnkey, told deponent that she was to be released whenever she thought proper to go, she asked him how her child, who was then about three years old, was to be provided for, and to this he answered, sneeringly, that she must take it to her parish; she then asked him for the payment of some money due to her for washing and other work, and the gaoler turned away, saying, that he would see her again before she left the prison; but to this hour he has not paid her any money. That on the 13th May, deponent expressed to William Ambler a wish to go out, in order to enquire of Doctor Franklyn and Mr. Hutton how the child was to be provided for, now that she was to be discharged from the prison; but William Ambler having consulted with the gaoler, told deponent she was not to be liberated until the next day, when the stage waggon would be ready to take her home; that on the following day William Ambler accordingly took deponent, by the gaoler's orders, to the stage waggon office, and saw her out of the town; that deponent is persuaded such precautions were taken, in order to prevent her from appealing, as she intended, to Mr. Hutton and others, as to a provision for the child, or making any noise in the town about it; that upon deponent's arrival at the parish, she was questioned by the parish officers as to who was the father of her child, her husband having declared that it was not his; that she immediately said, "Mr. Merryweather;" that on the 27th of May deponent was accordingly conveyed to Spilsby, where she gave all the information required, to Mr. Coltman, who expressed himself in terms of particular surprize and anger, that the gaoler should have so robbed the county to provide a maintenance for his child, adding, that he thought the gaoler must lose his place, if the matter became known; that Mr. Coltman, without administering the oath, sent a summons to the gaoler, which was not attended to; that some time afterwards deponent was taken before the magistrates at Horncastle, in order to swear the child, and to them she told her story; that their worships accordingly sent a summons to the gaoler,

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which summons was not attended to, nor did he pay any attention to a second summons which was sent to him a fortnight afterwards; that in consequence of this inattention, deponent was sworn, and a warrant was issued for bringing the gaoler before the magistrates; that upon his appearance before their worships, the gaoler was asked, why he had not attended to the summonses, and why also he did not provide for the child. To the first question he answered, that he did not receive the summonses; but of this the magistrates, especially Mr. Massingbird, expressed doubt; and to the second question, the gaoler answered, as she understood him, that deponent having been convicted of felony, he did not think there was any law for her, or that she was entitled to any credit or attention; but Mr. Massingbird observed, that the parish must be satisfied, and reprimanded the gaoler for robbing the county to provide for his child. To this the gaoler said, that as the child was born in the county gaol, he thought the county ought to provide for it; that deponent being again sworn, that Mr. Merryweather was the father of the child, some discussion arose between the magistrates, the gaoler, and the parish officers, after which, Mr. Massingbird asked the gaoler why, when he found that deponent was pregnant, he did not apprize the visiting magistrates of it, and he said, he did not give it a thought. But Mr. Massingbird observed, that it was his duty to have thought of it; that the result of this discussion was a recommendation from Mr. Massingbird to the parish officers, to sue the gaoler at law for the maintenance of the child; but deponent understands that no such suit has ever been instituted; that after deponent left the magistrate's office, she addressed the gaoler, remonstrating with him upon his breach of promises to her to provide for her child, and telling him of her resolution to go to Lincoln at the next assizes, and complain of him to the judge, and to every other person that would listen to her; that upon this, he told her, that if she would be silent, and not come to Lincoln, or be any farther troublesome to him, he would make the provision he had promised for herself and her child; but she said, that she could not regard his promises, as he had so often broken his word to her; that however, at the following assizes, deponent could not, from the state of the weather, and of her health, conveniently go to Lincoln, but on the next assizes, she was determined to do so, and her determination was known to her neighbours, through some of whom her purpose became known to the gaoler, from whom she received a message a few days before the assizes, requesting her not to come at the assizes; but assuring her, that if she would come with her child any day afterwards she mentioned, to Mr. Hodson's, and not make any alarm at Lincoln, he would settle every thing to her satisfaction; that she was accordingly induced not to come at the assizes, but at the time appointed; afterwards, namely, in July 1806, she with her child attended at Mr. Hodson's, who sent a note to Mr. Merryweather, to which note, the answer was, that he would not come where deponent was; that deponent on the next morning appealed to Doctor Franklyn, to interfere in her favour; and soon after meeting Mr. Merryweather on the Castle Hill, she presented the child to him, entreating him to make the provision for her he had promised so lately through his messenger, but the answer was, "the provision I intend for you, is to "send you to Kirton House of Correction, and your child to the workhouse; and I will so "provide for you both, if you do not leave the town immediately." That dismissing deponent with this threat, he never offered her one shilling, although she told him in tears, that she had left home, a distance of above 20 miles, with only two shillings in her pocket for the support of herself and her child. That from the gaoler, deponent went to Mr. Hutton's to report her case and seek redress, and finding that he was from home, she proceeded to the White Hart Inn, where she heard that some magistrates were sitting; that on her arrival at the White Hart, deponent saw Richard Cox going into the presence of the magistrates, and after he had been there some time, she was called in before Doctor Caley Illingworth and others whom she did not know; that deponent complained of the treatment she received from Mr. Merryweather, in never having made her any allowance for the support of his child, which was with her since the period of her liberation; Doctor Illingworth then asked her, whether the child was the same she had in prison, and repeated the same question to Cox, and the answer was in the affirmative, but Cox added, that he dare say it was not Mr. Merryweather's child. The magistrates asked where was Mr. Merryweather, and Cox answered, that he was from home, but apprehending that deponent was likely to trouble their worships, he had sent (him) Cox, with a message to satisfy their worships that he was not the father of the child; that Doctor Illingworth then calling deponent a lying old strumpet for saying and offering to swear that Mr. Merryweather was the father of the child, while that gentleman the contrary peremptorily told her, that if she did not forthwith quit the town, he would have her committed to Kirton House of Correction; that deponent was immediately conveyed out of the town by Samuel Lee (constable) and Richard Cox; that upon the day of deponent's departure from Lincoln, she was able to walk only about eight miles, and was allowed by Mr. Farr of Bullington Hall, to sleep with her child in his stable; that Mr. Farr, to whom she told her story, allowed her some victuals that night and the next morning, and in the evening she reached home, where she has since remained, without any assistance whatever from Mr. Merryweather for the support of her child, who is now about ten years old. That during her confinement in Lincoln Castle, the magistrates never visited her to enquire into her situation, nor did she ever see them but twice; once, when, as before mentioned, she was ordered some work by Mr. Hutton, and second time, when she was grossly abused by Doctor Caley Illingworth, for saying that her child belonged to Mr. Merryweather; that deponent not only complained before mentioned, but since her liberation from Lincoln Castle, has used every endeavour in her power to obtain redress; that indeed she has left nothing undone for that purpose, which occurred in her own mind or was suggested to her by others. That deponent has told the story of her sufferings to several persons, including clergymen, magistrates and lawyers, and among others, to the Reverend Francis Reckcliffe of Ashby, John Mouncey of Grantley,

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Grantley, Thomas Roe of Kirkby on the Bain, Messieurs Bosfield, Cope and Scarborough, of Boston, Messrs. Kitchen, Glazier, Clarke and Soulby, of deponent's neighbourhood, in the vain hope of obtaining justice; that deponent has this day been threatened by the gaoler, on the Castle Hill, that if she did not leave Lincoln immediately, he would charge the constable with her; which threat was used in the presence of Elizabeth Preston.

The mark of
⋈
MARY EVISON.

Sworn before me, one of his Majesty's Justices of the Peace for the Parts of Lindsey, in the said county, this 8th day of August 1812.

(Signed) *G. Langton.*

17th August, 1812.

MARY EVISON'S EVIDENCE.

(D. 1.)
Mary Evison

WHAT is your name?——Mary Evison.

What age are you?——Fifty.

Are you a married woman?——I have been married twenty-six years last May.

When did you first come into Lincoln Castle?——On the 15th day of November 1799.

What was you tried for?——For taking some money out of a neighbour's house.

Did you undergo any trial?——Yes; I was tried, and received sentence of death on the 20th of March 1800: I was afterwards reprieved for seven years transportation.

How long were you confined?——Upwards of five years. I was removed on the 1st August 1800, on board the Earl Cornwallis hulk at Deptford.

How long was you confined in this gaol altogether?——Five years and six months. An order was obtained from the Duke of Portland to take me back to Lincoln, and I was accordingly removed from Newgate to Lincoln Gaol, on the 23d May 1801. Mr. Merryweather removed me again to the Goliah, Spithead. Sir Jerome Fitzpatrick came on board the same day, and I was returned back with Mr. Merryweather on the 23d May 1801; I was put into Newgate, and remained there ten days; I came back with Mr. Merryweather by the mail coach to Lincoln Castle; I remained in the Castle till the 14th May 1805; I was pregnant at the time I came into the Castle; I was the mother of twelve children at that time; soon after I came in the Castle, I had a bad fever; Mr. Franklyn the surgeon (now dead) ordered me to have a fire in the sleeping room; he ordered Mr. Merryweather to let me have a fire until I found myself able to go down to the other women. On the 17th January 1800, I felt better than I had been a long time: in the night, taken worse; Thomas Beeston told me, if I did not go down, I was to be shut up all day; I was unable to go down; two days afterwards Mr. Merryweather came; I was left without fire or support for two days; Mr. Merryweather came and asked why I laid in bed; I told him I was not able to come down; Mr. Merryweather said, Audrey Appleyard, a female convict, told him I was as able as her to come down; Mr. Merryweather abused me very much, called me old bitch and devil, and ordered me to go down stairs, and said, if I was not dressed in ten minutes, he would come and throw me down himself; Beeston came and assisted me down stairs; I remained down till six o'clock; I remained very bad all night; at half-past eight in the morning I kneeled down on the floor and miscarried; I was within 14 weeks of my time; Beeston (not being acquainted with what had happened) took me down stairs to the fire, when I fainted away: I was taken up and put upon a bed; a surgeon (Mr. Franklyn) was sent for; I related to him what Mr. Merryweather had done the day before; the surgeon ordered a fire, which I had accordingly; having told the surgeon I had miscarried, I had told no one else of it; Mr. Franklyn and Mr. Parnell came, and brought up Mr. Merryweather with them, and they reprimanded Mr. Merryweather for what he had done, for Mr. Merryweather had given me my death stroke; Mr. Merryweather said, he hoped by good attendance I would be raised up again, and that the doctors would do all they could; Mr. Franklyn said, he should acquaint the judge with it the first time he should go into the town; Mr. Franklyn staid some time with me, and desired the housekeeper to give me the best attendance; I was better the next day; twelve days after, I was ordered down stairs to clean myself, nobody having done it before; two women who attended me, refused to do it; I went down into the wash-house, the snow was ankle deep in the yard, and the cold seized me, and I was worse than ever; Mrs. Long was the housekeeper; I put the miscarriage myself into the necessary. On the 8th March 1800, the judge came into the town: Mr. Franklyn in a conversation told me, he hoped on my trial I would not mention it, as it would do me no good, and the gaoler harm, and if I had not the luck to get my liberty, I might be used better for the time to come; I was tried 11th March, and convicted, and remained poorly afterwards, and the turnkey allowed me to lie in bed as long as I pleased. Mr. Merryweather knowing I was alone, took the opportunity of going to me several mornings, and had connection with me, in the same way as my husband would, and I became pregnant. On the 1st August 1800, I was removed as a transport with other women, and returned as before stated. Mr. Merryweather, when I came into the prison, met me, and said, "I'd as lief see the Devil as you," and ordered Richard Cox the turnkey to take me down into a solitary cell under the chapel, and said, "there let her remain as long as she stays here, and as soon as there's another ship ready, I will remove her again." The turnkey put me there: no one came to me either with bread or water, from Monday at 4 o'clock, till Wednesday at noon, when Richard Cox brought me a county loaf and a bucket of water. I remained there, and the doctor visited me when it was necessary. On the 19th January 1801, the doctor and Mr. Merryweather

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Mary Evison.

came into the room where I and Mary Short were; the surgeon enquired when I would be brought to bed, and I told him, I expected every day; Mr. Merryweather said in anger, he should lose his place in consequence of this damned Devil (meaning me); they left the room; Mr. Merryweather talked to the doctor in the passage. The doctor returned, and said, he would send me something comfortable. About five a clock the same day, Cox came into the room and brought an emetic; Mary Short said, it was nothing but mercury; Cox mixed it with tea, and I reluctantly took it; he said, if I did not take it, he would pour it down me, and I was taken with a violent pain in my temples, and very sick. I remained bad all the night; I sent at nine in the morning for the doctor, who attended me; Mary Short related my distressed situation. I was visited several times in the course of the day, and at three o'clock, 22 hours after taking the dose, I was delivered of a dead child at it's full time. This was on the 20th January 1801. I had nobody to assist me, and no nourishment better than common, and was almost lost with filth; Mary Short was upwards of 70 years of age, and not able to assist me; I was not allowed any person to visit me, not even my own sister (Elizabeth Stead of Boston, boatman's wife); I got better, and at Lent Assizes 1801, Doctor Illingworth and Mr. Hutton, after the assizes were over, I heard talking near my door; Mr. Merryweather told them, there was another convict ship getting ready, and he intended to remove me again; I heard 'Squire Hutton say, that he thought it was an unnecessary expense to remove me again, as I was ordered by the Duke of Portland to stay out my time where I was; Mr. Merryweather said, I was a great deal better than when I was returned back; 'Squire Hutton said, " we will go into the room where she is, and ask her how she does:" I told them I was very poorly, but much better than I had been, but was worse treated than any other prisoner. Mr. Hutton asked the reason why I was shut up there by myself; I said, I had been very ill, and not able to bear the noise of the prisoners. My sisters were allowed to see me, and Mr. Hutton permitted me some work; my sister's husband was allowed to bring me some support, and I got better. On the 23d May following, I was removed again, as before stated, to the Goliah at Spithead; Sir Jerome Fitzpatrick sent me back; I was ordered to the usual room for female convicts; Mr. Merryweather allowed me one of his feather-beds, and to wash for the prisoners; he took his opportunities of coming to me to have connection with me as before. In the month of October following, 1801, I became pregnant again; in November following, two women were brought from Boston, and he never had any opportunity of having connection again with me. When the Lent Assizes were over, the two women went out. Soon after the assizes were over, Mr. Merryweather's housekeeper came to pay me for work done; Mr. Franklyn came to question me whether I was pregnant or not, I told him I was, and from the month of October last. He asked if my husband was the father; I told him, I had not seen him since April, and had never had connection with any man since I entered the Castle, except Mr. Merryweather. After this was known, Cox for several times used me very ill; Richard Cox once took me out of the wash-house and threw me in the channel, for refusing to go to chapel. In the evening of same day, Cox put me into a very filthy bed in another cell; I told him I did not like to sleep on that bed; he told me I might then lie down on the floor. I remained there all that night and next day, and no person came near me. Next evening I looked out of a window into the gaoler's yard, and asked the housekeeper, if Mr. Merryweather would be so kind as to let me go into my own sleeping cell; she answered, Mr. Cox had put me there, and there I should stay. Mr. Kent came the next day to chapel, and Cox asked me to go, and assisted me down stairs; Cox gave me the best of attendance the whole of that afternoon. In the evening was put into my own sleeping cell again; afterwards one of the prisoners, John Hudson, threw a bucket of water on me, and I caught cold from it, by not changing my clothes. A few days afterwards I sent for the apothecary; I said, I was pregnant; after this, my feather-bed was taken away, and I lay upon the bare floor five weeks: the doctor ordered me a bed, but it was not attended to; I sent to the doctor, and told him, I had received no bed; Mr. Franklyn ordered the under turnkey to make me a decent bed, which I received by the second order. I had no more ill-treatment before I was brought down. I staid in the gaol three years afterwards. On the 21st July 1802, I was delivered of a female child (now living). In the month of my lying-in, the surgeon ordered me to be supported by the Governor, but got very bad victuals for ten days; I acquainted the surgeon, and was better used; when the month was out, I received the county allowance for myself and the child; Mr. Franklyn paid me three shillings a week in money for the child; I received just £ 20, at 3*s.* a week; I had the washing and work as usual, besides the county double allowance; I nursed the child myself; the child was born on Wednesday morning. On Thursday, when Mr. Kent came to give prayers in the chapel, Mrs. Russell attended me; he baptized the child; Mr. Kent said, he was surprised I had a young child, for he had asked Mr. Merryweather, and understood I was leaning to a dropsy. Mr. Kent asked Mrs. Russell if my husband was the father of the child; Mrs. Russell told Mr. Kent, I had not seen my husband for above a twelvemonth, until within the last six weeks; Mr. Kent named the child, and said, he would church me when the month was out, because I was a married woman, and give the child its full name; and who was the father, was nothing to him, then he should have done his duty.—Lent Assizes 1804, I washed for George , a prisoner; Cox promised that the gaoler would pay me for the washing, and I refused to let the shirt go till paid, when Cox threw me down on the brick floor and broke my head: the surgeon attended, and dressed it; the surgeon is since dead. A few days before I was liberated, Richard Cox, who had not then been a turnkey for some months, came and desired me to pay Mrs. Ruslin for what she had done for me; I told him, I had never employed her; he swore if I did not pay him, he would *slocken* me, *i. e.* put my head into a cistern till I was drowned; I told him I should be sorry to be hurt

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hurt for the sake of the child; I gave him a 7*s.* piece and two half-crowns, and told him, that Mrs. Ruslin might pay herself out of it, if she had any demand; I observed, I must either part from my money or my life. Saturday, 11th May 1805, Mr. Merryweather and William Ambler came to my door, and told me, I was at liberty to go when I liked; I told Mr. Merryweather, I could not go till my work was finished, and had made out my bill. I asked Mr. Merryweather who was to provide for the child now I was going; Mr. Merryweather told me, I must take it home to my parish (West Ashby near Horncastle). I remained in the Castle till Monday afternoon (two days after), when I told Ambler I was ready to go, and meant to ask 'Squire Hutton and Mr. Franklyn, how the child was to be provided for; Ambler told me, I was not to go out till the next evening, and then the stage waggon would be ready to take me. I sent my bill to Mr. Merryweather by Ambler, and to ask him, who was to pay the carriage for me and my child going home; Ambler brought the bill back again and no money; the answer was, Mr. Merryweather would see me before I went out, and for paying my carriage, I had money enough of my own. On the 14th May 1805, in the evening, I was liberated; Ambler told me, Mr. Merryweather had desired him to take me down to the waggon and see me off, and he did so, as he told me Mr. Merryweather said to him, lest I should make any alarm about the child. On the 27th May I was carried before Mr. Coltman, a justice, by a person employed by the parish to find a father for the child, who sent me to Mr. Martin an attorney, (his clerk) to tell him the same story, and to desire Mr. Martin to write to Mr. Merryweather to settle the matter, before it got abroad, as it would be much better than giving me my oath. I was afterwards taken before the magistrates (Mr. Massingbird, Reverend John Mouncey, Reverend Thomas Rowe, and Mr. Elmshirst) at Horncastle, by the overseers, who enquired into the case; and I told the same story to them as to Mr. Coltman. Having sent twice, as I was told, to Mr. Merryweather, at a meeting afterwards, Mr. Massingbird gave me my oath, and I swore the child to Mr. Merryweather; the warrant was sent to Armstrong, a constable at Lincoln, to bring him there; and Mr. Merryweather attended that day fortnight before the same magistrates, and Richard Cox with him; Mr. Massingbird asked Mr. Merryweather, why he gave the child county allowance; who replied, as it was born in the gaol, he thought it was entitled to it. 'Squire Massingbird said, he thought it was very odd Mr. Merryweather had not mentioned it to 'Squire Hutton, while I was pregnant, in order to know who was the father of the child; Merryweather said, he had never given it a thought; the justice asked Mr. Merryweather, why he did not attend before; Mr. Merryweather answered, he had never received any thing of the kind. Richard Cox took his oath, that my husband was allowed to be with me when he pleased. While I was in confinement, no allowance was made for the child. I went to the White Hart; Mr. Illingworth asked, what I wanted; and whether that was my own child; I told him, Yes, it was the same child which I had taken from the Castle; that it was Mr. Merryweather's child; Cox said, it was not the same child I had taken from the Castle; Doctor Illingworth called me a lying old strumpet, for the writing Cox had brought him, convinced him to the contrary. I have never received any thing for the child since I left the gaol. Mr. Merryweather promised, six weeks before I was brought to bed, a sum of money, as Mr. Franklyn told me, but I never received it. On the 18th July 1812, I wanted to go into the Castle, and Mr. Merryweather threatened to take me into custody.

18*th August*, 1812.

MARY EVISON, Cross-examined by Mr. Merryweather.

DID you ever tell any one, besides the doctor, of Beeston's cruelty?——I never received any ill-treatment from Beeston.

How long was it after you came here, that you was thrown down stairs?——I never was thrown down stairs.

Was any one present when Beeston ill-treated you?—I never received any ill-treatment from Beeston.

What day of the month did you miscarry?——On the 20th January 1800; it was on a Monday.

In what room did the miscarriage take place?——In that room looking into the transports yard, where there is a fire-place.

Who was with you?——Audrey Appleyard, a convict, slept with me; but she was not with me at the time of my miscarriage. It happened at half past eight in the morning.

How long had Audrey Appleyard been out of the room?——About an hour and a half.

How long did the miscarriage body remain in the room?——It remained in the room 12 days.

What state was the body in?——It was in a chamber-pot; it was offensive.

How far had you advanced in your pregnancy?——I thought to be brought to bed in April; I expected I had about 12 weeks to go.

Did the chamber-pot contain it?——It did.

Did Appleyard continue to sleep with you during the 12 days?——She did.

Did she ever complain of it's being offensive?——I cannot say she ever did.

Did she know you had ever miscarried?——I don't know that she made any enquiry about it.

Was there any other pot in the room for her to make use of?——There was.

How soon after you had miscarried did either of the doctors see you?——It was nigh upon twelve o'clock.

Did you inform him what had taken place?——I did.

Did he look at the miscarriage?——I told him where it was. I had been removed; it was not in the same room where I slept.

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How soon after the miscarriage was you removed into another room?——It was about two hours; it might be more.

Which room was you removed into?——I was put into the same room, as soon as the fire could be got ready.

Did you tell any body else of the miscarriage?——I never told any one, except the Rev. Mr. Pearson, the chaplain, that I had miscarried. Mr. Merryweather's housekeeper, and every woman prisoner that was in the gaol, knew it.

Did you tell Ann Seaton?——I never had any discourse about it with the market-woman, (Ann Seaton).

When was it that I first came to you in your lodging room, as you have described?——At the latter end of March, and beginning of April, several mornings.

What room was you in then?——The same room I miscarried in; Appleyard slept with me, until I was removed to the Earl Cornwallis.

At what time did I come to you?——About nine or ten in the morning, sometimes near eleven.

Which way did I come?——Sometimes up the chapel stairs, and sometimes up the debtors stairs.

Can you say how many mornings I came?——I think about six or seven mornings, sometimes there was a morning betwixt.

Did you ever mention it, at that time, to any body?——I never wished it to be discovered, if I had not been pregnant.

How long had you been confined in the room you had been first put into by Cox, when you returned?——From Monday at about seven o'clock in the evening, till Wednesday at twelve; it was in the year 1800.

Did the market-woman ever come to you during that time?——She did not; the gate was locked.

When was it, that the surgeon asked you, in my presence, when you expected to lie in?——It was on the 19th January 1801.

What time did you tell him?——I expected every day.

What other person was present?——Nobody but Mary Short.

Was the turnkey present at this conversation?——No, he was not; Mr. Merryweather had the keys, and opened the doors himself.

When was I again threatened by the surgeons for having ill-used you?——I don't know.

What time was it, Cox brought you some powders?——On the 19th January 1801.

Did not the surgeon say, he would send you something comfortable?——I don't know that the powders came from the surgeon.

What did Cox say, when he brought you the powders?——He told me he had brought me an emetic.

Who did he say from?——He did not mention any person.

Have you never said, who he brought them from, to any body?——No, I never did; how should I know?

What time, after this, did you begin to be ill?——I suppose about half an hour or three quarters.

In what way were you affected?——Pains at my temples, and violent sickness at my stomach.

What room did you sleep in that night?——In that room where Mary Short was, the day-room under the chapel.

How long was it after, before the miscarriage took place?——About 22 hours after, the next day about three in the afternoon.

How soon did the doctor see you on the morning of your miscarriage?——About nine o'clock; I sent for him by the market woman.

Was you in violent pain?——I was in violent pain at the time, very bad, the doctor thought I was likely for labour.

How long did the doctor remain?——He came backwards and forwards several times that morning.

Was he with you, at the time you was delivered?——Yes, he was.

At what time did your labour pains come on?——In the morning, about 3 or 4 o'clock.

Did you call out for any assistance?——I did not make any complaint, till Cox opened the door, at the usual time.

Had you come to your full time?——I don't exactly know; I heard the doctor say, I had come to my full time; it was a fine boy, and its full time, as he thought; I never saw the child.

What preparation had been made for child-bed linen?——None at all.

Did the doctor enquire at nine o'clock, when he came, whether the linen was ready?——Yes; I told him there was nothing provided.

Did he order any?——I don't know; he said he would mention it to you.

As soon as he had delivered you, what did he do with the body?——He took it away.

What women were there to assist?——None but Mary Short.

Were there any other female prisoners?——Yes; Mary-Ann Charles and Mary Swindle, I think was her name.

Did the doctor order any of these women to assist you?——No, he did not.

Who knew (of my servants) that morning, of your having had a miscarriage, or birth?——I don't know.

Did the caterer ever miss coming four times a day?——Yes, she has, not frequently though.

Did

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Did you ever hear how the body of the child was disposed of?——No, I never did.

Did the doctor put you upon the sick list?——No; I never had any but the county allowance.

Did the other prisoners, Charles and Swindle, know?——I never saw them; I was hardly ever out of my cell; I was not allowed to go to chapel.

Was you as large in your appearance, as women generally are, in that stage of pregnancy?——I don't know about that; I seldom *do* show a great deal.

How many children had you then? *That was the 14th, miscarriages and live-born children.*

What reason did General Fitzpatrick give, for taking you back the second time?——Because I understood that you had a letter from the Duke of Portland, for me to stay my time in the Castle. He said, you ought to be at all the expense yourself, for bringing me there.

Did he give any other reasons?——He said, I had a bad state of health, and a large family, fits and other disorders, and he did not wish to take me.

How many children had you at that time?——I had six children at home, I think, at that time.

When was you indulged with a feather-bed?——After I had returned the second time, until it was known I was pregnant again.

How long was that?——From the latter end of June 1801, until after March Assizes 1802, and possibly longer.

What was the reason of it's being taken away?——I don't know; I suppose Richard Cox took it away.

How frequently did my visits to you take place, after your second return?——You never came to visit me till after Susannah Mottershaw suffered on Thursday, 23d July 1801. Elizabeth Lamb slept with me.

How often?——Every opportunity, once or twice a week; when Cox was gone from the Castle, I was in that room by myself, from Mottershaw's execution till November.

What room was you in?——The women's day-room.

What time of the day used I to come to you?——Sometimes before dinner, and sometimes after.

What other women were in that room?——No other women, except one by chance, who was going to be passed to Kirton House of Correction.

What took place after November?——Two women were brought in for picking a gentleman's pocket at Boston; who were put in, (Ann Suffolk and Rose Cooper.)

Did I ever come while they were there?——No, never, except to see us.

What room did you sleep in, from the Summer to the Lent Assizes?——Some part of the time in the room where I first miscarried; and when the Boston women were brought in, my bed was removed to the room on the other side of the passage.

Did I ever come to visit you as before, in that room?——No, you never did. I often went down before the women, to light the fire.

How come they to be left later in the room than you?——They only stopped till the fire was lighted and the passage was cleared. The turnkey brought them down before he locked the doors.

At what time did you inform the doctor you were in a state of pregnancy again?——Soon after the Lent Assizes were over; I should never have told him, if he had not questioned me about it.

Did any body know it, before you told him?——I don't know. I was questioned by your housekeeper Elizabeth Taylor, but I didn't tell her.

Did you tell the doctor at that time, who was the father of the child?——Yes; I told him Mr. Merryweather was the father, for I had never had connection with any man but him.

Was any body else by?——Nobody was in the room; but I'm apt to think Cox was in the passage. I know he was there when the doctor left the room.

Did'nt Cox always come into the room with the doctor?——No; the doctor sometimes came and stopt half an hour together, and let himself in.

When did you tell Cox?——I never did; Mr. Franklyn told him the same day in the passage, when the door was open.

Did you ever tell the market-woman?——No, I never did; I never should have told any one, had it not been found out.

When was it that Cox took you in his arms, and threw you down in the channel?——It was several different times he took me by the shoulders, shook me and threw me down, saying, I had only *lapped* myself to make me look large; and that I was no more with child than he was.

What did he throw you in the channel for?——Because I refused to go to chapel.

Did you mention his improper behaviour to any one?——Yes, to Ann Seaton.

Did you ever desire her to tell me of it?——No; you know I shewed you my wounds and my bruises, and you only made a joke of it.

What room was it, he removed you into a filthy bed, and when?——It was about the latter end of May or beginning of June 1802, in the chamber that looks into your garden, where my last child was born.

How do you know the bed was filthy?——Because the poor men, Taylor and Shipland, who suffered with Whitaker on the last day of July 1801, lay there, and were very filthy; I took the blankets down to Cox and shewed him.

Who had slept in that bed, from the time the men suffered?——I don't know.

How long did you remain in that room?——From Tuesday evening, till Thursday about noon.

Appx. (D. 1.)

Mary Evison.

What did you sleep on?——On nothing; I laid on the floor, and took the rug off.

Did any one come to you?——No, no one at all; I called out to your housekeeper out of the window, who said, Cox had put me there, and there I should stay.

Did Cox take you out?——He took me out on the Thursday afternoon, as Mr. Kent and the debtors were going to chapel; they had not gone past.

Did you tell Mr. Kent, or Ann Seaton?——No; I never told either of them; I don't think they were friends of mine.

Did you ever tell me, when you saw me?——No; I don't recollect I did.

When was it that Cox ordered Hudson to throw the water on you?——A few days after I had been shut up; I don't know Cox ordered it; he was by.

Could Cox have prevented it?——He could, if he pleased.

In what cell was it, you laid five weeks on the floor?——It was not the floor; it was on the boards of the crib bottom (soon after the bed was taken away), in the first sleeping room next the chapel staircase, on the left hand side from the chapel stairs.

How long?——About five weeks.

Did you inform any body?——No; I told nobody but Mr. Franklyn and Cox, but it took no effect upon him; I mentioned it to you.

Did you ever mention it to my servants or me?——I never mentioned it to your servants, but I did once to you, and you said, "now you lie level on the boards," and went away laughing.

Who delivered you of the female living child?——Mr. Franklyn.

Did he put you in the sick list?——Yes, for a month.

Who generally brought you your provisions?——Elizabeth Taylor, Mr. Merryweather's Housekeeper.

When did Mr. Franklyn begin to pay you a sum of money weekly?——He did not pay me weekly; he would have done so, but I told him it would suit me better to take it in a sum; and when the child was turned a year old, he gave me £.7. 15*s.* for a year; and when it was two, the same sum again; and a few days before I was liberated, I received £.4 (Notes) and two five-shilling pieces. Mr. Franklyn told me it made £.20; no other person but Mr. Franklyn paid me the money, or gave me any thing.

How long before you was brought to bed, was it, Mr. Franklyn brought you the bond?——My husband was here on the 5th June; I know it was after that, and before I was brought to bed.

What did Mr. Franklyn say?——He said, he had now brought me satisfaction as long as life lasted; Mr. Franklyn said, he was to provide for me as long as I staid in confinement, and then I was to have a sum of money to make me a home, and to be a maintenance for myself and child when I left the prison, and to make me satisfaction for all the sufferings I had undergone.

Did he read it over to you?——He did; £. 1,500 was the sum; Mr. Franklyn said, it was made by Mr. Merryweather's desire; I don't know whether it was signed: Mr. Franklyn told me he would keep it; he had a right to keep it while he paid me the money.

When was the first time you mentioned to any body about the bond?——Never to any body till I got home; I told my neighbours, I was to have a home and provision, but it was not for a long time after, and I did not tell them the sum.

Did you ever call on Mr. Franklyn afterwards for the bond?——Yes, I did.

Was any body present?——Nobody but Mr. Franklyn, me, and my little child.

Did he give you the bond?——No; he told me he had it not in his power to give it; he gave the child a shilling at that time.

Who was the first person you mentioned the amount of the bond to?——To Elizabeth Waters, within the last four years.

Did you ever call again on Mr. Franklyn?——No; I never saw him but that time, after my liberation.

When Mr. Kent baptized the child, did you tell him who was the father of it?——No, I did not.

What time was it Cox came to ask for Mrs. Russlin's money?——A few days before I was liberated; he was not turnkey at that time; it was within a fortnight before I was liberated; I think you was in London with Smith a debtor.

What did he say?——He hoped as I was going in a few days, that I would pay Mrs. Russlin.

Did he say what she had done for you?——No, he did not; he brought no bill.

Did Mrs. Russlin speak to you?—— No, she did not.

What did he say to you?——He swore, if I did not pay her, he would put my head in that cistern in the yard, and keep my head in there while I was *slocken* to death.

Was he in the room, or passage?—He was in the passage, looking through the wicket door.

Did Cox know, a fortnight before you was liberated, of your going to leave the prison?——I always expected it; you told me so, saying, the same judge was coming who tried me, and you would always do what you could for me.

What did you say to Cox?——I said, I should be sorry to be murdered for the sake of my child; but I apprehended I must part either from my money or my life, and I gave him a 7*s.* piece, and two half-crowns for Mrs. Russlin, to pay herself out of that, if she had any demand against me.

Did he mention the demand?——No; he did not mention any sum; he brought no change back.

Did you ever send for the change?——No; I never sent to Mrs. Russlin for the change.

Did

Appx. (D. 1.)
Mary Evison.

Did you give the money to him through fear?——Yes, I did.

Was any person present when Ambler told you he was to go with you to the waggon, to prevent your spreading an alarm in the town respecting the child?——No one at all, that I know.

What time was you taken to Mr. Coltman?——It was on the 27th May 1805.

Were your depositions taken in writing?——They were never taken in writing, in my presence.

How soon after did you apply to any other magistrate?——About Martinmas, latter end of November, I went to Boston and applied there.

When and where did you make your next application?——In the parish of Horncastle, to 'Squire Massingbird and others. I don't exactly know when, possibly it might slipt on for two years.

What did you say before them?——I told them the same as I had Mr. Coltman, and the gentleman at Boston, the same account throughout.

What did they do?——They considered with Mr. Robert Clitherow, an attorney in the parish of Horncastle, the justice's clerk, to send to Mr. Merryweather to settle the business, and if he did not attend that day fortnight, they would settle the business without him. I had applied the Saturday before; there was no business done on that day.

What was done that day fortnight?——Mr. Merryweather did not make his appearance, and they said they would send to him again, and give him another fortnight; the second fortnight they did the same; and afterwards swore me, and sent a warrant to Armstrong to bring him by force.

Were your depositions taken in writing at that time?——Yes.

Was the account you gave them the same as you have given here?——No; only that he was the father of the child.

About what time did you begin to talk to any body about your having children in the Castle?——Ever since I went home; that I had a miscarriage by my husband, and the other by Mr. Merryweather.

What time was it you came to Mr. Hodson at Lincoln?——It was the last day of July 1806; and on the 1st August I went to Mr. Franklyn to ask for the writing.

Was it at that time you went to Doctor Illingworth, at the White Hart?——Yes, it was.

Then from the time of your last application at Horncastle, have you made any more applications to any magistrate upon the matter?——No.

Have you applied to any other magistrate or person, or has any magistrate or person applied to you, since that time, about the business now in question?——Yes; there was Charles Eyres, of Horncastle, late a debtor in the Castle, who told me, there were two men in the Castle ready to take complaints, Finnerty and Marris.

When did he tell you this?——I think, on the 9th July last.

Was this the first application to you?——Yes; and the only one since I was at Horncastle.

Has there been any depositions taken and sent up to London?——On the 10th July last I brought a letter to Mr. Marris, written by Charles Eyres on the 9th.

What took place when you were at the Castle?——I was took up on the same day to Mr. Marris's room, by Marris and Finnerty: they told me they would assist me all that lay in their power; only to speak the truth: I gave them the same account as I have given you.

Who did you give the account to?——To Marris and Finnerty, and Mr. Scott an attorney at Stainford, as I have been informed, who was there.

How long were you with those gentlemen, giving them the account?——Eight days and a piece.

What time did you come in on a morning?——Sometimes at half-past seven, ten, and other hours, and went out as soon as the clock struck ten at night.

Was there any other gentlemen present when the depositions were taken?——Mr. Drakard came in by chance.

Did Mr. Scott write down any thing?——Mr. Scott never took a pen in his hand; Mr. Finnerty wrote principally.

Did Mr. Scott assist in taking your evidence?——He did not write.

Did he exert himself in getting the evidence from you?——Yes, he did; he asked me questions sometimes.

What part did Mr. Marris take; did he take the same steps?——Yes; he was equally active with the others.

Where did you take your victuals?——I dined and lodged at Mrs. Bolton's; I generally got victualled with these gentlemen.

How many days out of the nine days did you dine with Mr. Marris and Mr. Finnerty?——I think, every day.

Where did you get your other meals?——I breakfasted with Mr. Bolton, and got my tea and supper in the town.

Where did you lodge?——I lodged all that time at Mr. Bolton's.

Was there any day that the gentlemen had company that you could not dine with them?——I always dined at the second table, with Mrs. Preston and the attendants; I never sat at the table with Mr. Marris and Mr. Finnerty.

Did you ever receive any money from them for a dinner, when they had company?——No.

Did you ever say, Mr. Marris gave you 4*s.* for a dinner, when he had company one day?——Mr. Marris and Mr. Drakard gave me 2*s.* a-piece, to go out and get what I pleased with it.

Did those two gentlemen ever say to you at the gate, that if you wanted money, you knew where to get it?——Mr. Finnerty has told me, if I wanted money for my lodgings, or any thing

Appx. (D. 1.)

Mary Evison.

thing that was necessary, I should have it. Mr. Drakard and Mr. Marris told me in the Castle, that if I wanted money, I knew where to come.

What money did you bring with you, when you brought the letter?——I pawned a gown, and got 5*s.* 6*d.* on it; that was all I had.

Do you receive any collection from the parish at this time?——Yes; a shilling a week for a boy we have, that isn't sharp.

What present did you receive from Mr. Scott?——Nothing at all.

Has the parish given you any clothing?——Not me, but my family.

Who do you mean by the family?——The two girls that are clothed out of service, and the poor boy.

What articles of clothing have you purchased, since you came here the first time?——I have bought nothing new but a pair of shoes, and new bonnet, to the value of about fourteen shillings.

How much money have you received from Mr. Drakard, Mr. Marris, and Finnerty?——The whole sum I have received is exactly fifteen shillings.

Who sent for you, when you came over the second time?——I came a good deal of my own head. Charles Eyre received a letter from Mr. Finnerty. He brought it to my house, and read it over to me; that as soon as Mr. Finnerty knew any thing about the gentlemen coming, he would let me know. I recollected some particular things which I had said before the magistrates at Horncastle this Spring, in the presence of Wm. Glazier, of the parish of West Ashbury, which I had not related to these gentlemen here.

When did you see Mr. Langton the magistrate, on this business?——On the day Finnerty was liberated, and the day after.

Where?——At the Rein Deer Inn, Lincoln.

Was any thing transacted respecting this business?——Yes; what I had stated was read over, and Esquire Langton swore me.

Was what he swore you to, the same papers that were drawn at the Castle?——Yes.

Where do you lodge?——I now lodge and board at Russell's, the coal porter's.

Do you know where Mr. Finnerty lodges?——Mr. Finnerty lodges at Mr. P. Smith's.

Have you been frequently at Mr. Finnerty's lodgings?——I was with Mr. Finnerty and Mr. Langton on Saturday night; I was there yesterday with Mr. Finnerty, and this morning.

Did you call on Ann Seaton at the assizes?——Yes.

ANN SEATON, Sworn.

(D. 2.)

Ann Seaton.

In what capacity have you acted in this prison?——I am caterer for the prison; I attend four times a day; twice for orders, and twice to bring them in.

Have you ever been present when any acts of cruelty have been practised on Mary Evison?——No; I never heard any complaints whatever.

Did you ever see Richard Cox ill-treat her?——Never.

Did you ever see him take her by the shoulders and throw her in the channel?——No, I never did; I came into the prison at nine in the morning; I am not caterer now: I was eight years a caterer, I never heard of any thing that was bad, nor ever heard of any cruelty in the prison.

[*Cross-Examined by Mary Evison.*]

Do you remember what you mentioned to Mr. Scott?——Yes, I do.

WILLIAM GLAZIER, Constable and Overseer of Horncastle, Sworn.

William Glazier.

Had you Mary Evison in custody?——I delivered Mary Evison into the custody of Lincoln Gaol about 16th November.

Did she, at the time you brought her to gaol, tell you whether she was with child?——I don't remember she did.

Did you tell me she was so?——I don't recollect I did; I did not.

When did you hear that she was to have a bond for £1,500?——Not till last Monday week, and that was from her own lips.

Has she at any time, since her liberation, mentioned to you her having two dead children?——Not till before the magistrates at Horncastle, in February or March last.

Was the business before the magistrates at Horncastle, relating to her having had a child in the Castle?——No; but she mentioned it.

[*Cross-Examined by Mary Evison.*]

Do you recollect what I said to the magistrates about the powder?——Yes; you said it was the death of the first child.

Do you remember my stating my grievances?——I recollect you said how you were afflicted. I am a neighbour, and am overseer and constable of the parish.

The Rev. Mr. KENT, Sworn.

Rev. Mr. Kent.

Mary Evison never made any declaration to me who was the father of the child.

Did you ever ask her?——No; I never asked her who was the father of the child, to the best of my recollection.

Mrs. Franklyn.

Mrs. FRANKLYN, widow of the late Mr. Franklyn, surgeon, attended, and stated that she had no knowledge whatever of the transaction respecting Mary Evison.

19*th August*, 1812.

Appx. (D. 3.)

RICHARD COX, Sworn; Examined by Mr. Merryweather.

Richard Cox.

WHAT are you?——I am keeper of the House of Correction at Louth, in this county.

Had you ever any concern with this gaol?——Yes; I was turnkey to Mr. Merryweather four or five years.

How long have you ceased to be turnkey?——Eight years ago; I was a debtor when first appointed turnkey.

Was you a debtor and turnkey at the same time?——I was a debtor and turnkey a few months.

What was my general conduct towards the female prisoners?——I never saw any thing improper, but you always treated them with the greatest humanity on your part; I never saw the gaoler alone with the female prisoners: on his appointing me turnkey, he gave me strict orders never to be familiar with the female prisoners on any account; that I might observe, it was his general practice never to go among them alone on any account; and to the best of my knowledge he never did.

State my conduct to the prisoners in general.——Very humane to the male and females; they have frequently expressed their satisfaction to me.

Was you ever authorized to exercise any severity to Mary Evison?——No, nor to any other prisoner.

Did you ever do it yourself?——No, never.

What complaint has she ever made of my cruelty to her?——None at any time.

Do you happen to know that she was pregnant when she came to the gaol, or had a miscarriage before her trial?——I never heard it.

Who fetched her back from London in October 1800?——I did.

Do you remember receiving any order to treat her with cruelty on her return?——No, I never did.

Did you keep her without provision on her return from London?——No; she was not kept without provision; I delivered her the usual county allowance.

Do you believe the caterer never saw her all that time?——I can't say the caterer saw her.

Did you forbid the caterer going to her?——I did not.

Who usually attended the surgeon, when he came to visit the prisoners?——I did.

Was I in the habit of attending?——You very seldom went with the surgeon; if you did, I was generally there.

Do you know my reason why I did not attend?——The reason you told me was, that if the prisoners wanted to make any complaint, they would do it perhaps more in your absence than in your presence.

Have you observed me adopt the same line of conduct as to the visiting magistrates?——Yes.

Do you ever recollect hearing the surgeon, or any other person, reprimand me for my cruelty towards Mary Evison?——No, never towards her or any other prisoner.

Do you recollect hearing in any way that I had been so censured?——No.

Did you ever administer any medicines to Mary Evison?——No, never.

Did you ever administer powders to her in some warm tea in Mary Short's room?——No; I never did in any room.

Do you recollect any observation of Short's, that you was giving her mercury, and it would poison her?——No, I do not.

Have you any recollection of her being sick and ill at night, and the surgeon being sent for at nine a clock the next morning?——No.

Was she ever delivered, to your knowledge, of a still-born grown child?——Never to my knowledge, till the 24th July last.

Where did you hear that report?——From Mr. Merryweather, when I brought some prisoners from Louth.

Was I particular in making those enquiries of you?——Yes.

Did you ever perceive, during her continuance, that she had the appearance of being pregnant?——Never till she was brought to bed of the live child.

If a miscarriage had taken place, could the surgeon have seen her without your knowing it?——No; unless you went yourself with him.

If the surgeon saw her frequently, as stated, could he have done it without your knowledge?——No; I must have known it.

Did the surgeon ever take away, to your knowledge, a full born grown child?——Never to my knowledge.

Have you any knowledge, that she was almost lost with filth, at any time during her imprisonment here?——No, I have not.

On her second return from London, did she ever communicate to you any thing respecting the turnkey at Newgate?——She did.

What was it?——She brought two small fish (herrings) with her; she said, for the turnkey's sake, she would keep them as long as she could. Another prisoner, Mary Short, said in Mary Evison's hearing, it was because the turnkey at Newgate had slept with her while she was there; Mary Evison laughed, and replied by way of joke, "how do you know that?" Mary Short replied, "why, didn't you tell me yourself?"

Do you know her sister at Boston?——I do not.

Do you believe, if her sister had come, you would have refused her admittance?——No, not without a proper reason.

Appx. (D. 3.)
Richard Cox.

On Mary Evison's return the second time, have you any recollection of her being allowed a feather-bed?——No, I have not.

Had she been so allowed, must you have known it?——I must certainly.

Were the beds made up or renewed by you when necessary?——Yes, they were.

Did you ever see me go to her sleeping room in the forenoon at any time?——No, never.

If I had been in the habit of going in, could I have so done, without your knowledge?——Not frequently you couldn't.

When she was pregnant in 1802, of the living child, had you, at that time, any reason to suppose any man had been with her?——I could not suppose, unless by being with her husband in September or October 1801, at the end of harvest. He generally come twice a year; he was alone with her for one or two hours in the turnkey's room then, (now the magistrates room.)

So soon as you knew she was with child, what did you do?——I informed you of it.

Do you know what I did?——You told me, you should apply to the magistrates, to know whether she was to be sworn.

Did I apply?——I don't know.

Can you recollect whether she informed you at any time, that I was the father of the child?——She did not.

Did you ever hear of such a report at the time?——No; there was a report among the prisoners, that a man of the name of Thorpe, a convict, had a connection with her; he formed this connection by going into the woman's yard, thro' the day-room, to fetch water, and it took place in the wash-house. I asked her whether it was true; she replied, "what's that to you; you are not the father of the child, and needn't trouble yourself about it."

After she was delivered, do you know whether the surgeon allowed her three shillings a week?——Not to my knowledge. The same gaol allowance was given to the child as herself, during the month she was dieted at Mr. Merryweather's table by order of the surgeon.

Who directed the additional allowance?——The surgeons; both of them.

Do you ever recollect throwing her down in the channel, because she would not go to chapel?——No; one day, at the time the other prisoners were going to chapel, she was washing, on purpose not to go; I took hold of her by the arms, and told her, if she would not go, I would put her head in a bucket of water, which was there, and she then went.

In the evening of that day, did you put her into a filthy bed, by way of punishment?——No; I never to my recollection did.

Did you ever hear, that she laid on the floor, on account of a filthy bed?——No.

Have you any recollection of a man of the name of John Hudson, being in the prison?——Yes; I saw him throw a bucket of water one morning on Mary Evison; I did not know of his intention; he said, she had been saying something disrespectful of him.

Could you have prevented it?——No, I could not.

Do you know whether she laid on the crib, for want of a bed?——No; if she had wanted straw for her bed, she might have had it for asking.

Did she ever find fault to the surgeon?——No; she never found fault to the surgeon for want of a better bed, to my knowledge.

How long did she have the county allowance?——The double county allowance was given to her so long as she was in prison, while I was there.

Did you call upon Evison, a few days before she was liberated?——I never did.

Did you ever demand money of her for Mrs. Russlin?——No; I did not know she owed her any thing.

Did you ever threaten to put her head in a pail of water till she was slocken?——No.

Have you a recollection of my receiving a letter from the magistrates at Horncastle?——Yes; you told me you had, and was charged with being the father of Mary Evison's child; that you was to go over the next day to the magistrates to repel the charge, and you asked me to go with you; I went with you the next day to the magistrates, who were well satisfied that Mr. Merryweather was not the father of the child; I was sworn; I believe they took the depositions in writing; Mr. Merryweather said, he had been examined by the magistrates at Lincoln, but the magistrates at Horncastle said, they had a right to be satisfied themselves.

Was I taken by the constable to Horncastle?——No; I went with you in a chaise; I never heard of a warrant.

[*Cross-Examined by Mary Evison.*]

Was there a county allowance delivered from Monday evening, when I arrived, till Wednesday morning?——No; the general delivery was on Wednesday, Friday, and Sunday; if you arrived on Monday evening, there was no county allowance till Wednesday.

COMMISSIONERS.—Were you ever, during Mary Evison's confinement, both turnkey and bailiff?——I was.

Did your office of bailiff, frequently call you without the prison?——Yes, very frequently; but I was not sheriffs bailiff till February 1802.

Was it a rule of the prison, for the turnkey to be present when a visitor comes to see a prisoner?——Yes; but not as to man and wife.

Did the caterer attend Mary Evison?——The caterer might have got to the wicket, but I don't know she did.

Did you make any complaint to the gaoler, against Hudson, for throwing the water upon her?——No; there was no complaint made to Mr. Merryweather for throwing the bucket of water over her.

When

When a prisoner comes in at the interval, on which there is not a delivery of bread, what is the custom?——It is customary, to send, if the prisoner comes without money, to the gaoler's house.

Is it usual to admit a husband, to a female convict, unless in the presence of a turnkey? ——Sometimes.

ANN SEATON, again Sworn.

Appx. (D. 4.) *Ann Seaton.*

[*Cross-Examined by Mr. Merryweather.*]

How long was you employed as a caterer?——Eight years, all but three weeks.

How long before I came to the prison?——Four years.

Do you recollect Mary Evison being committed here?——Yes, I do.

Who was turnkey at that time?——I can't say.

Have you any knowledge that she was ill treated by Beeston?——No; she told me last assizes, Beeston had been very civil to her.

Do you know whether she was pregnant, when she was first committed here?——No, I don't.

Did it afterwards come to your knowledge?——She told me so these last assizes; I never heard of it before.

Did you ever hear of her having a miscarriage in January 1800?——No.

Was it known to you, that Cox had ever given her any powder?——Not till the last assizes; I mean the time she was here with the people in the Castle.

Did you ever hear of her having a miscarriage in 1801?——No.

Do you recollect being sent for the doctor, when she had a miscarriage?——No.

Was you ever told by the surgeon she had a miscarriage?——No.

If such a circumstance as a miscarriage had taken place, would the doctor have told you? ——I naturally expect he would.

Who usually brought in the medicines?——Generally, I did.

State my conduct generally towards the female prisoners?——I don't suppose, during the time of my serving, I ever saw you three times down in the prison; I never saw you in the female rooms; I generally got the keys of the prison from your drawers in the kitchen, and let myself in,—the key of the first entrance gate; there was a key I could let myself into the room; I seldom used it unless the things were too large to put through the wicket.

Did Mary Evison ever complain of Cox's cruelty towards her?——No; never till last assizes.

Did you ever hear her complain of any particular cruelty exercised by me upon her?—— I never did; she had daily opportunity of doing it; if she had thought proper, she might have told me without the presence of any one.

What was Cox's general conduct?——I never saw any thing but good civility from Mr. Cox; I never heard any complaint against him.

Did she ever communicate to you, who was the father of the child of which she was delivered in July 1802?——No, she never did.

Did she then, or at any other time, tell you that I was the father?——Not till after she went home, and the report went about, in the town of Lincoln.

Was that before she had been before the magistrates?——It was after she came the first time, after having been home to her family.

Do you remember one Thorpe being here in custody?——I recollect William Thorpe being here in custody.

Did he ever mention any thing to you, respecting Mary Evison?——Yes, he told me he used to be frequently with her, when he went for water to the wash-house.

Did any body else tell you?——I never heard the report by any other person except Thorpe.

Do you know of her having a feather-bed in the prison?——I don't know she ever had a feather-bed; she told me so at the last assizes.

Did you ever hear of her lying on the boards for five weeks?——No; I never heard of her lying upon the boards for five weeks, till the last assizes.

Have you ever seen her since her liberation?——Yes; I have seen her three times since her liberation, and spoke to her twice before the assizes; she never mentioned any of the reports I heard from her, till before the assizes.

Do you recollect her leaving the Castle?——When she went away, I went with her to the Adam and Eve, where the waggon was to call.

Did she, at the Adam and Eve, say I was the father of the child?——No, she did not.

Did you ever hear her say, while she was in prison, that Mr. Franklyn paid her any money? ——No, not till the last assizes.

Did you ever hear her talk of a bond?——No, not at any time.

Did you see her accidentally at the assizes?——No; she called upon me at my father's house, last Thursday week; she shewed me a new gown, a new umbrella, and a new pair of shoes for herself, and a new pair for the child, and clothes for the child, which she said, she had bought.

Did she tell you how she got the money to pay for them?——She did not.

Where did she say she lived?——She said, she lodged at Mrs. Bolton's; she victualled along with the gentlemen in the Castle, Mr. Drakard, Mr. Finnerty and Mr. Marris; she told me, excepting one day, when Mr. Marris was going to have company, he gave her four shillings to get a dinner where she thought proper.

Did she tell you for what she had come over?——She said, the gentlemen had sent for her.

Have

Appx. (D. 4.) *Ann Seaton.*

Have you had any application to come in to the gentlemen at the Castle?——Yes; Mary Evison called first for me to come in, and Mr. Finnerty's cook, (Preston) next called; she told me, I was requested to come in by Mr. Marris, Mr. Finnerty, and Mr. Drakard, they wanted to speak with me. I told her I could not come. In the course of half an hour, Preston the cook came again with Mr. Scott; he told me he was doing business for Mr. Marris, and was sent by him; I asked who he was, he said, he came from Stamford; he was come to ask me a few questions, what Mary Evison had been informing the gentlemen at the Castle about. I have quitted Mr. Merryweather's service six years, and never had any conversation with him till last Sunday, to know whether I had heard those complaints of Mary Evison, which I never heard till last assizes.

[*Cross-Examined by Mary Evison.*]

Did you not tell Mr. Scott the contrary?——No, I did not.

(D. 5.) *William Ambler.*

WILLIAM AMBLER, Sworn.

I am a labouring man.

Did you succeed Cox as turnkey here?——I did.

What was my behaviour towards Evison?——I never saw you behave improperly towards her or any of the prisoners; I never saw you behave bad.

Did you ever see me go into the women's rooms?——No; I never did see you go into the female apartments alone.

Did she ever complain, that Cox had behaved cruelly to her?——No; not while I was there.

Did she ever tell you who was the father of the child?——No, she never did: I asked her, and she said, it would be known when she got out. I have often heard her say so.

Did you ever hear her say any thing about an allowance of money from Mr. Franklyn?——No, I never did.

Did you ever know of his paying her any money?——No.

How long was you turnkey, before she was discharged?——About half a year.

Did you ever hear of her having two still-born children in the Castle?——No.

Did you go with her when she left the prison, and where to, and for what?——I went with her to the Adam and Eve, to help her into the waggon, with Ann Seaton, and to carry her clothes.

Did she then tell you who was the father of the child?——No, she did not; we had no conversation about it.

Did you tell her, when you took her to the waggon, that I had told you to do so, lest she should make an alarm about the child at Lincoln?——I never did, or any thing like it.

Have you ever seen Evison since her discharge, in Lincoln or elsewhere?——I think I saw her last week, or before: I saw her three or four years since; she then came to my house; she at that time said, she was going to swear the child at the White Hart; she did not talk of any money having been paid her by Mr. Franklyn.

Did she say any thing to you about a bond?——No; she did not mention any bond to me.

Relate what she said, when you saw her last week.——She said, the gentlemen had sent for her; I was sent for to the Castle at different times by Mr. Finnerty; Russell, the coal porter, first came; I told him I should not go; he said, he had been fetching Mary Evison; he had been many miles for her; it was about the last assizes. Another person I did not know, called on me, who said, he had been with Mr. Finnerty. He asked me how Mary Evison behaved when I was turnkey here. I called at the Castle, and saw Mr. Finnerty and Mr. Marris. Mr. Ling (attorney's clerk) was present. They asked me if I was here when Mary Evison went out, and how she behaved.

(D. 6.) *Francis E. Franklyn.*

FRANCIS EDMUND FRANKLYN, Sworn.

I am surgeon of the gaol.

When did you come to reside with your brother, the late Mr. Franklyn, surgeon?——In the year 1804, in the month of April.

How soon after your coming to Lincoln did you visit the Castle?——The next day.

Was Mary Evison and her child shewn you at that time?——Yes, they were.

Did your brother communicate to you those matters in your business, which required secrecy?——Yes, he did, upon every subject.

Were you in the habit of seeing her?——Yes, when my brother was sent for; and if absent, I went.

Did she ever tell you who was the father of the child?——No, she did not.

Have you any reason to suppose your brother knew who was the father of the child?——I have no recollection of my brother ever stating it.

Did he ever say, I was the father of the child?——No, never: I have no reason to believe my brother knew who was the father of the child.

Do you know of any payments to Mary Evison?——No; I never knew of any money payments made by my brother on account of the child: I think I should have known, if any such payment had been made.

Had you access to your brother's books?——I had access to all the books of account belonging to the business: I posted them for him.

Did you ever learn that a bond was given?——No; I never learnt that a bond had been given for the maintenance of the child: I have never heard of it since.

Did

Appx. (D. 6.) *Francis E. Franklyn.*

Did you ever hear from your brother, that she had any still-born children in the prison?——I never did.

If such had been the case, was it likely your brother would have told you?——I certainly think he would have told me, when we were talking about the other child.

Have you his books and papers?——I have his books, not his papers, but every thing relating to his business.

Who kept the books?——I was in the habit of keeping his accounts of all receipts and payments.

Did you find a bond, or instrument for future payment, for maintenance of the child?——I did not.

Did I make any enquiry of you, whether it was possible to find out whether any miscarriage had taken place, previous to the birth of the living child?——Yes, last Sunday: I referred you to my brother's widow, who had such a book in her possession.

Describe his system of book-keeping.——We had a book purposely for midwifery, wherein we entered an account of all births, still-born, and embryos; I have got the book for the year 1800, which I produce; he did not share his profits on the midwifery with his partner: there is an entry for Mary Evison, as follows,

"July 20th, 1802. Mary Evison, a felon, at the Castle, of a dat^r £. 1. 1."

There is no other entry of births, still-born, or embryos, respecting Mary Evison, appearing in this book. An entry is invariably made, whether the money is paid or not.

[*Cross-Examined by Mary Evison.*]

Did Mr. Merryweather ever lend you my money?——No, he never did.

(D. 7.) *William Harmston.*

WILLIAM HARMSTON, Sworn.

I am a publican, and constable of the Bail of Lincoln.

Did you ever execute a warrant on me for bastardy, at the suit of Mary Evison?——I did not; I never had a warrant or summons against you in my life.

(D. 8.) *Catherine Preston.*

CATHERINE PRESTON, Sworn.

I am a married woman, my husband is a gardener; I am cook to Mr. Finnerty.

Who was with you when you went to Ann Seaton?——I called at Ann Seaton's some time back with Mr. Scott, the editor of Drakard's Stamford News.

20th August 1812.

[COMMISSIONERS *to Mr. Merryweather.*]

ARE you in possession of the Duke of Portland's letter for commuting Mary Evison's sentence of transportation?——I never received any one; I sent for her back from Newgate under a note or order from the Secretary of State, October 1800, for her to be fetched from Newgate to Lincoln Castle, in consequence of sickness, by which she was, at that time, unfit for the voyage; I think it was signed by Mr. King, the then under-secretary: the letter which I received did not revoke her transportation; I produce the Felons Register Book, of which the following is an extract: "Mary Evison, under sentence of transportation, and "delivered on board the ship Earl Cornwallis, in order to be transported, was, by an order "from the Secretary of State, removed from Newgate to Lincoln Castle, October 6th, 1800, "in consequence of sickness, by which she was unfit for the voyage."

GAOLER'S DEFENCE against the Charge of MARY EVISON:

(D. 8.)

I DECLARE I had no knowledge of Mary Evison being pregnant when committed to my custody; the parish officer never informed me so. I never directed the turnkey Beeston, to use her ill, nor did she ever, to me, charge him with having so done. Mr. Parnell and Mr. Franklyn, the surgeons, never reprimanded me, as to my treatment of her, or of any other prisoner: I never heard of any miscarriage in January 1800, or of any of the circumstances she has related concerning it, till this time. Her charge against me, of going to her in her night-room for several mornings successively, to be connected with her, and from which she became pregnant, is totally false; I never knew or heard of her being with child in the year 1800, nor of her having a miscarriage in January 1801, until within the last month; never gave Mr. Cox, while he was in my service, any orders to treat her with severity, nor was he ever accused by her, to my knowledge, of having so done. Sir Jerome Fitzpatrick, when he refused her, on her second removal, gave me as a reason, that she was too old, and had a dropsical habit, with considerable swellings about her, and was therefore not a fit subject to be transported; he never told me that she had accused me, to him, of using her ill in prison, though I returned with Sir Jerome, in his own boat, from the Mother Bank to his lodgings at Portsmouth, having a deal of conversation with him during the time about her. I sent her back to Gosport from the ship in care of the York turnkey, who went with us. The aftermention of my visits to her in the prison, are equally untrue with the former: and I do declare that I have never been criminally connected, or taken the least liberty of any kind, either with the complainant, or any other person I have had in custody. The whole of the attempt in going about the country to the different magistrates in succession, was to extort money from me, under an idea, that with such a charge I must purchase her silence.

Appx. (D. 8.)

In the last month, the charge has been considerably extended, and two previous miscarriages added to it, which were unknown to every body about the prison; to this she must have been prompted by some persons, who grafting their ingenuity on her villany, have thus swelled the charges, to induce a belief, that such a regular and well-told tale, must be true, at least in some of its substantial parts. I do also deny having had any money transactions with Mr. Franklyn on her account, or for her use, or of having signed any bond or instrument by which she was to be benefited, or made to believe so.

Lincolnshire, Lindsey. } To the Constable of West Ashby in the said Parts, and to the Keeper of His Majesty's Gaol the Castle of Lincoln.

THESE are, in His Majesty's name, to command you the said constable, forthwith to convey and deliver into the custody of the said keeper, the body of Mary the wife of John Evison, of West Ashby aforesaid, charged before me, one of His Majesty's Justices of the Peace acting in and for the said Parts, on the oath of John Ely of West Ashby aforesaid, labourer, with feloniously stealing nine guineas, some silver and some halfpence, his property, out of his dwelling-house at West Ashby aforesaid, on Saturday last. And you the said keeper, are hereby required to receive the said Mary Evison into your custody in the said gaol, and her there safely keep, until she shall be thence delivered by due course of law. Given under my hand and seal the fifteenth day of November 1799.

Ed. Walls.

Lincolnshire:—

AT the Assizes and general delivery of the gaol of our Lord the King, holden at the Castle of Lincoln, in and for the county of Lincoln, on Saturday the eighth day of March, in the fortieth year of the reign of our Sovereign Lord George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c. Before Sir Archibald Macdonald, Knight, Lord Chief Baron of our Lord the King, of his Court of Exchequer; Sir Alexander Chambre, Knight, one other of the Barons of our said Lord the King, of the same Court; and others their fellows, Justices of our said Lord the King, assigned to deliver the gaol of the said county, of the prisoners therein being. WHEREAS at this present session of gaol delivery, Mary Evison was convicted and attainted of stealing in a dwelling-house, of which she was by law liable to suffer death: But His Majesty has been graciously pleased to extend His royal mercy to her, on condition of being transported beyond the seas for the term of seven years; and such intention of mercy has been signified to this Court by William-Henry Duke of Portland, one of His Majesty's principal Secretaries of State: her said pardon is hereby allowed to her on the condition aforesaid. It is therefore, in pursuance of an Act of Parliament passed in the twenty-fourth year of the reign of His Majesty King George the Third, intituled, "An Act for the effectual Transportation of Felons and other Offenders, and to authorize the removal of Prisoners in certain cases, and for other purposes therein mentioned;" Ordered and Adjudged by this Court, that the said above-named convict be transported as soon as conveniently may be to the eastern coast of New South Wales, or some one or other of the islands adjacent, for the term of seven years, to be computed from the time of her conviction above specified; and Richard Ellison and Thomas Coltman, Esquires, two of His Majesty's Justices of the Peace for the said county, are hereby appointed to contract with any person or persons for the performance of the transportation of the said convict, and to order sufficient security to be taken for the same, pursuant to the said Act of Parliament. And this Court doth order that the said above-named convict be transferred to the use of such person or persons, his or their assigns, as shall contract for the due performance of the said transportation; which contract or contracts and security shall be certified by the said Justices, to the next court of general gaol delivery to be holden for the said county, to be filed and kept among the records of this Court.

By the Court.

Jn°. Fred. Hilditch,
Deputy Clerk of the Assizes.

(D. 9.)

Sir, Whitehall, 30th September 1800.

I AM directed by the Duke of Portland, to desire that you will send some proper person to the gaol of Newgate, and receive from Mr. Kirby, keeper of the said gaol, the body of *Mary the wife of John Evison*, in order that she may be conveyed back to your custody, being in such a state of health as to prevent her being sent by the present conveyance to Botany Bay; and I am to acquaint you, that unless you immediately send for the said convict, in future no female convicts will be received from your gaol for transportation.

I am, Sir,

To the Keeper of the Gaol at Lincoln. Your most obedient humble Servant,

J. King.

(D. 10.)

Mary Evison.

(Circular.)

Sir, Whitehall, 20th May 1801.

I AM directed by the Duke of Portland to inform you, that the Nile transport, lying at Portsmouth, is ready to receive the female convict named in the margin hereof. I am therefore to desire that you will immediately cause her to be removed from the Gaol at Lincoln

Lincoln on board that ship; and that such convict be cleanly and properly clothed, and provided with the additional articles of wearing apparel under mentioned; as also a certificate of her perfect state of health must be sent with such convict, otherwise she will not be received on board. Appx. (D. 10.)

I am, Sir,
Your most obedient humble servant,
Ed. F. Hatton.

The High Sheriff of Lincoln.

2 spare shifts,
2 D° of stockings,
2 spare handkerchiefs,
1 D° pair of shoes.

GEORGE R.

WHEREAS Mary Evison was, at the Lent Assizes 1800, held at Lincoln, tried and convicted of breaking into and stealing in a dwelling-house in the day-time, and had sentence of death passed upon her for the same, but received Our pardon, on condition of being transported for seven years: We, in consideration of some favourable circumstances humbly represented unto Us on her behalf, are graciously pleased to extend Our further grace and mercy unto her, and to grant her Our free pardon for her said crime. Our Will and Pleasure therefore is, that you cause her the said Mary Evison to be forthwith discharged out of custody, and that she be inserted, for her said crime, in Our first and next General Pardon that shall come out for the Midland Circuit: and for so doing, this shall be your Warrant. (D. 11.)

Given at Our Court at Saint James's, the second day of May 1805, in the forty-fifth year of Our Reign.
By His Majesty's Command,
HAWKESBURY.

To Our trusty and well beloved Our Justices of Assize for the Midland Circuit, the High Sheriff of the county of Lincoln, and all others whom it may concern.

(Copy.)

A PETITION of Thomas Houlden, of Spilsby in the county of Lincoln, was presented and read; setting forth, that the petitioner having been confined in Lincoln Castle for debt, experienced such hardships and injustice from the gaoler of the said prison, as he thinks is due to justice and humanity, to submit to the consideration of the House. That the petitioner was not long in the custody of the said gaoler, when he felt the oppression of his system, and when he had reason to suspect the existence of a strong prejudice against him in the gaoler's mind, in consequence of his complaints of that system; but still more, in consequence of the freedom with which his feelings prompted him to observe upon the ill-treatment, and particularly the extortion, to which himself and his fellow prisoners were subjected; and that the petitioner, being dissatisfied with the bed furnished to him by the gaoler, and for the use of which, he was obliged to pay what the gaoler demanded, thought proper to have a bed of his own brought into the prison, upon which he was, by the gaoler's order, removed from the room in which he had previously slept, and compelled to take his bed into the apartment assigned to paupers; to this apartment, however, it was the common practice of the gaoler to remove such debtors as were not satisfied with his beds, or disposed to pay the sum which he thought proper to demand for the use of such beds; and that the room in which the petitioner was so confined, is about twenty feet long and sixteen broad; and yet in the course of last summer, it contained seven beds and ten prisoners: when thus crowded, on the night of the eighth of June last, the weather being excessively warm, the petitioner was, with his fellow prisoners, considerably astonished to see the turnkey proceeding to lock the room door, which had never been before so done; the petitioner therefore knowing the turnkey to be generally insolent, unless to those who could afford to purchase his civility; and conceiving also that it was not possible the spirit of oppression or personal prejudice could be carried to such an extreme, by any man entrusted with the keeping of an English prison; objected to the locking of the door, unless it was to be done by the gaoler's express order; a message however being soon after delivered, that the gaoler actually ordered the room door to be locked, it was locked accordingly; but yet the petitioner was two days afterwards, namely on the 10th of June, taken before Doctor Caley Illingworth, one of the magistrates for the county of Lincoln, and accused by the gaoler, of opposing his turnkey: to refute this accusation, which the gaoler pressed with great eagerness, frequently calling the petitioner, rascal and scoundrel, and otherwise grossly abusing him in the magistrate's presence, the petitioner produced three witnesses: after some examination, Doctor Illingworth expressing his regret that the charge was not proved, dismissed the petioner; who accordingly went away; but shortly afterwards the petitioner was again taken before the said magistrate; and after being again grossly abused by the gaoler, was committed to one of what are usually called the condemned cells; which cells are about seven feet below the level of the front of the prison, and in this cell, the petitioner was kept in close and solitary confinement for eleven days and nights; during which, he was precluded from communicating with any person whatever but the turnkey, and denied the use of pen, ink and paper; and that at the period alluded to, there were about sixty-five debtors confined to fourteen rooms, while the gaoler, with only three in family, was allowed to appropriate thirteen apartments of the prison, for his own accommodation; and that the petitioner was released from his solitary confinement a few days after intelligence reached the prison, of the (E.)

conversation

Appx. (E.)

conversation which took place in the house, with regard to the petition of Mr. Finnerty, which conversation the petitioner understood excited the fear of the gaoler, and to that fear, the petitioner ascribes his release; and that while the sheriff, Sir John Trollope seldom interfered with the prison, and declined ever to answer a prisoner's letter of complaint, the petitioner and his fellow prisoners found it quite vain to make any appeal to the magistrates who usually visited the prison, and who were never known to interpose, as the petitioner humbly conceives it to be their duty, for the purpose of removing the complaints, or redressing the grievances of a prisoner: the petitioner therefore being unable to defray the expense of seeking redress at law, has no other refuge but in the justice and humanity of the House; from which, he hopes for such redress, as to their wisdom shall seem meet.

20th August 1812.

(E. 1.)

Thomas Houlden.

THOMAS HOULDEN, of Spilsby, Sworn.

ARE you the party who preferred a Petition to the House of Commons?——I am.

COMMISSIONERS.—Your are come here to substantiate the Allegations contained in that petition?——I am.

What is your first charge?——On the 8th June 1811, about nine at night, the turnkey William Tuxford entered my sleeping room, where I and many others slept, and insisted on shutting the door, which door had never been shut before to my knowledge; I refused the door being shut, on account of the heat of the night and the number of people, unless it was the gaoler's positive orders; Tuxford went down to receive the gaoler's orders, and the gaoler's father came up, and said it was to be shut; I immediately gave way, and agreed to it directly, and it was shut; there was a lock upon the door, which they had to break, before they could get the bolt into the place: I went to bed, and there was no more of it that night. On Monday the 10th June, I was fetched by the turnkey before Dr. Caley Illingworth, and the gaoler was present, and he brought forward a charge against me, which after Mr. Illingworth heard, I requested to send for two or three debtors, who slept in the room, to prove it was false, which they did: the gaoler said, "There was another debtor in the same room, I think he is not corrupted yet, I "will send for him." The debtor came, and exactly agreed with the other two I had sent: they were ordered out of the room by Dr. Illingworth. Dr. Illingworth turned himself to me, and in a very austere manner, said, "Fellow, I'm sorry that I can't prove a sufficiency to commit you." After receiving some abuse, such as "scoundrel" and "rascal," from the gaoler, and "where do you come from?" I was sent about my business. About three minutes after I got set down to dinner, which was always the time when the magistrates came in, I was fetched again before Dr. Caley Illingworth; he had got a large book before him, and said, he had been looking into the laws the magistrates had made, and that I should go down below; "You shall go down "below, fellow, it will do you good." I remonstrated with him, and said, it was a very hard case, it was only two or three minutes before, he had discharged me, and had told me, he was sorry he could not prove any thing against me; the gaoler was present at the same time, laughing at me, insultingly said aloud, "I have you fast now." I was taken down below, where I remained eleven days and eleven nights, debarred from seeing any one but the turnkey, and refused pen, ink and paper. The eleventh day I was down, Mr. Merryweather came to me and hectored me, and said a good deal to me in a very insulting manner, and said, "This will do you good." I believe I should not have got my liberty so soon, had not the discussion on Mr. Finnerty's business in the House of Commons appeared in the newspapers.

[*Cross-Examined by Mr. Merryweather.*]

What is the name of the chamber in which you slept?——It is called the "grates."

What time was the second door of the passage locked, before the time you are speaking of?——I don't know, it was weeks before.

Why was it shut?——It was to stop a communication in the passage.

For what reason?——I don't know.

Had there been any complaints made that required such an order?——Most likely there had been.

Had I not been applied to repeatedly, by your knowledge, to shut this door, to prevent your insulting Marris, which you had done for months?——No, I don't.

Do you know, that Marris had been insulted by noises in the passage?——I don't particularly know that he was more insulted than others; there were sixty people at that time in the prison; there always had been a noise.

How many were there upon that floor?——I can't tell.

Do you know, that considerable knockings took place at Marris's door, after the debtors were gone to bed?——No, I don't.

Was you never in his passage after you had gone to bed, knocking at his door?——No, positively, I never was.

Was Mr. Marris ever insulted in that place or any other?——We have had words together in the yard; I did not call it insulting.

Have you not, from the latter end of January to June, been in the continual practice of calling and abusing Mr. Marris?——We have had words both before and after, call it by what name you please.

Describe the nature of the words.——I dare say we might abuse each other two or three times.

Was

Appx. (E. 1.)

Thomas Houlden.

Was you not almost in the daily habit of mocking him before he was up, and calling out *Minnio,* in imitation of the way in which he called his servant?——It was not done by me oftener than any one else.

Was it not done by you and two or three other debtors principally?——Not by my persuasion; it was a common thing; the man went by that name, and if the gaoler was going by, he thought it an insult to Marris.

COMMISSIONERS.—Did Mr. Marris, in consequence of this, lodge a complaint?——I don't know.

[*Cross-Examined by Mr. Merryweather.*]

Had I any quarrel with you previous to the 8th of June?——I repeatedly remonstrated with you, on a number of occasions, before the 8th of June; I heard you call me a damned scoundrel a number of times.

What was the occasion of your hostility to Mr. Marris?——Because we did not always agree in our opinions.

Was there any thing arising out of the bed transaction?——Not the first time.

At what time did I take you before the Commissioners of Bankrupts?——On the fifteenth December 1810.

What took place before the Commissioners, respecting a bed?——I told them I had sold it, to support myself.

Did you tell them for what purpose?——Yes; to support myself.

Was the question put a second time by the Assignees?——Perhaps it might.

When did you receive that bed at Spilsby?——Before my Commission; a month or five weeks.

Had you sold that bed, before you went before the Commissioners?——The Commissioners told Houlden he was not bound to answer the question, as it might tend to criminate him, and directed the gaoler to confine his cross-examination to matters that occurred in the prison.

Previous to the evening of the 8th of June, had it not been held out to you by the turnkey, that if you did not stop your disturbances, the second door must be shut?——No; I never was told so by the turnkey.

Did he not inform the room generally?——He might inform the room below, but I was not in it; I had not heard it.

How long had that lock been put upon the bolt?——I don't know; it might have been for a twelvemonth.

Was it not known in the room, during the day that the lock was put on the bolt, to prevent its being locked?——No; not to my knowledge.

At the time when you went up to bed, was you not informed by the turnkey and Mr. Marris, that the door was ordered to be locked, in consequence of the disturbances?——No; I knew nothing of it. I put my back against it, to prevent it being locked.

Was any thing brought to knock off the lock?——Yes, a cleaver.

When the cleaver was brought, did you resist?——I never resisted when the orders were brought from your father; I resisted before.

Before my father came, did Marris tell you they were my orders?——I don't remember it.

When my father came, what did he tell you?——He said it must be shut; I said, "very well;" and I let it be shut immediately.

Was any reason assigned by him?——He said something about a noise.

Was there any noise the preceding night?——I don't recollect any more than usual.

Was there not frequently considerable noises, till eleven or twelve at night?——No, not in our room, nor in the passage.

After my father came up with the turnkey, did you not scuffle with the turnkey?——I never touched the turnkey to my knowledge. I one time got hold of the cleaver, before positive orders came up.

When I called you scoundrel and villain, what had it a reference to?——I don't know; except from your indulgence of bad language.

Was it not in describing the treatment Mr. Marris had for months past received?——You might say so.

Do you recollect any other abusive language to Marris?——We had words together frequently.

Did any debtor come down to you?——No.

Did you ever write letters to me while you were down?——I wrote a line to you.

State the purport.——The turnkey said, if I would write a letter to Mr. Merryweather, and acknowledge my fault, and promise to behave better, he would shew it to Mr. Illingworth.

On what day was it?——I don't know; it was after being there several days.

Was not the letter wrote on Sunday, or Monday morning?——I don't know.

Did the turnkey tell you I would shew Dr. Illingworth the letter?——He did.

Was you liberated on the Friday?——It was a week or ten days after that letter.

Did I state to you, when I came, I had shewed the letter to Dr. Illingworth?——You might.

Do you know when Mr. Finnerty's petition was presented to the House?——No.

Do you know there was quiet when you was confined?——No, I don't.

JAMES BRUNNING, of Headlington, Lincoln, Farmer; Sworn.

(E. 2.)

James Brunning.

Do you recollect the evening Houlden was charged with disturbance?——Yes; I was then a debtor.

Appx.
(E. 2.)
James Brunning.

[*Cross-Examined by Mr. Houlden.*]

Did I refuse the door being shut after the gaoler's orders?——You did not refuse.
Did I strike the turnkey?——No.
COMMISSIONERS.—Did he misbehave?——He did not.

[*Cross-Examined by Mr. Merryweather.*]

Was you before Dr. Illingworth?——Yes; I gave the same evidence there as here, and told the gentlemen, Mr. Houlden was agreeable the door should be locked, if it was the gaoler's orders. Old Mr. Merryweather came up, and insisted the door should be locked, and it was locked.

Was the lock knocked off before, or after my father gave the orders?——I am not sure.

At the time the lock was knocking off, was there any disturbance?——We said it should not be locked; we would not be locked up. Turnkey and Houlden were pulling at the door; we called out and said, as he was only a debtor the same as ourselves, we would not be locked up; I was out of bed; I said the same to Dr. Illingworth; I was up at the time; Dr. Illingworth did not ask me whether, as I lay in bed, I could see the transaction.

(E. 3.)
John Hindley.

JOHN HINDLEY, Sworn.

I was a debtor.

Was you in the room that night?—Yes.

Tell what happened.——They bolted the door; we said we should not be locked up; William Tuxforth came and insisted we should be locked up; Mr. Houlden stood against the door, and I believe we all spoke against it: Tuxforth got some sort of instrument to break off the lock, and after that, Mr. Merryweather the elder was called up; then Mr. Houlden never stood no more against it.

Do you know who bolted the door, to prevent its being locked?——No, I don't.

Do you know at what time the lock was knocked off?——After your father came up, I believe; but I really can't say.

How many nights was the door locked?——I don't know.

Was it two, or three times?——I don't recollect.

There was no disturbance before the turnkey came; he followed up soon, a few minutes after us.

What did they bring to knock the lock off?——A cleaver.

Can you say whether it was before, or after my father was called?——I cannot.

Was any resistance offered to the turnkey, to induce him to fetch my father up stairs?——A scuffle took place before your father came up stairs.

[*Cross-Examined by Mr. Houlden.*]

Did you ever know me in liquor, or making any disturbance on any prior night?——No; only talking nonsense.

(E. 4.)
William Dixon.

WILLIAM DIXON, (now a Debtor) Sworn.

Was you present when the turnkey came to shut the door?——I was.

Did I resist the door being shut after the order?——No; I did not see you strike the turnkey; I heard a scuffle, but was in bed; I heard no threats or striking, on either side; you had not misbehaved yourself either that night, or any other in the Castle, that I know of. I was only just come in to the Castle. I was examined before Dr. Illingworth, and told then the same nearly as I now do.

[*Cross-Examined by Mr. Merryweather.*]

Had there been any disturbance that night?——No; there had been some noise the preceding night. I had been in prison three weeks; came on the fifteenth May 1811. There was a great deal of noise; sometimes, playing, laughing, and shouting. There was not much intoxication, very little at that time in that room; the lock was put on the door to prevent its being bolted, and I don't know who put it on.

Did you ever hear the debtors in the room tell the turnkey, he would be deceived in what he had to do?——No.

(E. 5.)
Edmund Woodward.

EDMUND WOODWARD, Sworn.

I was a debtor in 1811.

When Mr. Houlden was called to go before the magistrates from Bedlam, he staid out some time, and returned, saying he was dismissed; and he stopped a little bit in the room, and was called again to go before the magistrates. We then had intelligence, he was committed to the felons ward: I intended to furnish Mr. Houlden with pen, ink and paper, and some books to read; I was answered by the turnkey, no pens or ink would be suffered to go to him. Some time afterwards, I thought it was necessary to procure a bed and bedding to cover him. At that time, I was at the gate which leads to the cells, and Mr. Merryweather entered from the garden to his house, and asked me what I was doing there; I said, I was sending down Mr. Houlden's bedding. He said, I was a pretty fellow, not much better than Mr. Houlden, and must take care of myself. Some days after, Mr. Langton, a magistrate, came into the Castle-yard, and a Mr. Dimmock, a debtor, who said, he knew Mr. Langton, and told me to write a note in his name to Mr. Langton, desiring him to

Appx. (E. 5.)
Edmund Woodward.

to go and see Mr. Houlden, as he knew him; Mr. Langton came, and asked for Mr. Houlden. Mr. Merryweather met with him in the yard, and called to me while Mr. Langton was present; he charged me with having forged a note, meaning that with Mr. Dimmock's name; Mr. Merryweather called me a rascal and scoundrel, in Mr. Langton's presence; Mr. Langton was afterwards, I believe, admitted to Mr. Houlden. At a future time, when Mr. Houlden had got a bed, the governor would not let him be put any where but in the free debtors room: that debtors room had six or seven beds, and nine people slept in it at the time. The room was seventeen feet by twenty-one. With respect to the order being given, it had never been locked before. I heard Mr. Houlden say, it should not be locked, except by the governor's order. I have known Mr. Houlden affectionate and kind; I think him a very good man; I have great reason to say so.

Had you ever an opportunity of going before the visiting magistrates?——I sent two requisitions to them; I was once sent for to the magistrates into the room at the prison, to be spoken to; and when I was giving an account of my complaint, I did not say many words before I was interrupted by Mr. Merryweather, who said to the magistrates, there was no credit to be given to me; Dr. Illingworth gave me a very consequential and contemptible nod, and said, I must go out of the room; Mr. Merryweather said, I wanted to injure the market woman, and she should not be hurt, and so ended the meeting.

JOHN MART, Sworn.

(E. 6.)
John Mart.

I was late a debtor; am a cabinet maker. I recollect your character was good; it was that of an Englishman; you stood between right and wrong.

ROBERT MARRIS, Sworn; Examined by Mr. Merryweather.

(E. 7.)
Robert Marris.

I am in confinement here as a debtor.

Did you make any application to the gaoler?——I did.

What was the nature of it?——There was frequently noises in the passage, by which I was disturbed; I had had several quarrels with Mr. Houlden at different times; the annoyance was for a long time, for a month; it was a matter by which I was much affected, and therefore took more notice of it then. I made application to the gaoler, whenever I felt myself ill used; I have complained of annoyances arising from noises; Mr. Houlden was brought before Doctor Caley Illingworth and myself; I don't recollect when the first passage door was locked; the gaoler and Mr. Houlden had had a quarrel; the door was locked.

Was it not in consequence of your application to me, the door was locked?——I don't remember it.

Was it you, or your servant, who fetched the cleaver?——I think it was my servant.

Where did you stand in the passage, when the turnkey went to lock the door?——I don't recollect.

Did you come up to the door where William Tuxforth and Houlden were suffering?——I did.

Were you examined before the magistrates?——Yes; I think I was examined on oath when the altercation took place; I directed the turnkey to shut the door and execute the governor's orders. It is certain he was punished in consequence of my complaints to the gaoler.

Did you not direct the turnkey to go down for my father?——No; I think I went down myself.

Upon your bringing my father up stairs, what did he say?——He gave orders for the door immediately to be locked.

Who directed the lock to be knocked off?——I think the lock was knocked off prior to the old gentleman coming up.

Describe the resistance by Houlden.——I think I attempted to knock it off, and afterwards the turnkey; I think we both did. Houlden said, the door should not be locked till the governor came himself; "I won't believe the governor gave you these orders." If I recollect right, Houlden pushed me back from the door; he resisted to the last.

Was you examined on oath before the magistrate?——I think I was.

[*Cross-Examined by Mr. Houlden.*]

Do you recollect the words used by Doctor Illingworth, when we were before him?——I recollect hearing Dr. Illingworth say; "I'm sorry I can't commit you," or words to that effect. I recollect Mr. Merryweather, during your examination, making use of very indifferent words, such as scoundrel and rascal; I recollect his desiring you to hold your tongue several times.

COMMISSIONERS.—May I ask you, Mr. Marris, how it happened that you do not recollect those transactions which passed immediately under your own eye, and which originated on your application, while you remember those words that were uttered in a transaction to which you were not a party?——They made a strong impression upon my mind, to hear a magistrate use such words.

WILLIAM TUXFORTH, late a Turnkey, and Debtor; Sworn.

(E. 8.)
William Tuxforth.

The door was locked by Mr. Marris's desire; the complaints might be about four or five weeks before the second door was locked; they used to come into the passage and shout out, and call Mr. Marris a rogue and *minnio*; this had taken place frequently before the second passage door was locked; I heard of some one making water against Mr. Marris's room door; they threw turnips at the door: from these complaints, the door was locked. Marris

was

Appx. (E. 8.)

was not at that time on terms of friendship with any of the debtors on that floor; Marris made complaints of its continuance day and night; there had been considerable noises a night or two before shutting the door.

William Tuxforth.

Were there any noises the night or two before shutting the door?——There were; I informed the people of the room the night before, that if the noises continued, the door must be locked. On the night in question, when the debtors went to bed, they said, they would put a trick upon me; I did not know what they meant; when I went up, the bolt was slipt out, and padlock put on; Marris came up during the altercation, and insisted on my doing my duty; I attempted to shut the door; Houlden resisted; Marris ordered me to get a hammer and knock the lock off, and Mr. Merryweather's father being fetched.

Who fetched him?——I think Mr. Marris did. When they came up, Mr. Merryweather ordered the lock to be knocked off; it was done with a cleaver.

Who fetched it?——Mr. Marris's man, out of his room: Houlden shoved the door against me, to prevent my knocking the lock off: I hit it two or three times, and could not get it off, so Mr. Houlden and me came on the floor together. As soon as Mr. Marris got the lock off, we locked it. Old Mr. Merryweather stood by while all this was done, and when it was locked, he went away. Marris gave me a glass of ale in his room.

Was your hand injured at all?——Yes; all my fingers were nipt by the iron bolt of the door, before your father was up stairs.

When was the bolt knocked off?——Not till Mr. Merryweather, senior, came.

When did you acquaint me with what had taken place?——The next morning.

What did I say?——That you would acquaint the magistrates as soon as they came.—Holden was fetched before Dr. Illingworth on the Tuesday; this took place on the Friday, I think, before. It was either Friday or Saturday the door was first locked.

How long was it locked?——Four or five nights: Hindley applied to have the door unlocked again; they promised there should be no more disturbance in that room.

What did I do in consequence?——You ordered me to open the door.

Was you examined before Dr. Illingworth?——Yes, on oath.

Houlden behaved very improper before the magistrate: I gave the same account to Doctor Illingworth as I now give.

The account given by Marris to the magistrate was in the same way. I heard Marris afterwards tell the debtors, the prison was not the same place, after Houlden was confined, and he wished the damn'd rogue might stay there all the while he had to stop: the room was more orderly immediately after the confinement of Houlden.

After Houlden was brought back a second time before the magistrate, he behaved very ill; he walked backwards and forwards up the room, and gave Mr. Illingworth very ill language. The Doctor ordered me to take him below to the cells since assigned to the refractory debtors.

Did I give you any directions to deprive him of pen, ink, and paper?——No.

Did I direct you to refuse admittance of strangers or friends, who had business, from seeing him?——No.

Did you refuse any of them?——No; I did not of my own head refuse any of his friends.

Do you recollect coming to know from me, if he was to have pen, ink, and paper?——Yes, I did. I believe he asked me the over night, and I took them down the next morning.

Had he any bedding?——Yes; the whole of his bedding carried down, and a fire, and every other comfort he wished to have; and during the time he was confined, I took every thing to and from him that he wanted.

Did he seem satisfied?——Yes; he was satisfied with my waiting on him.

Do you know what Houlden's behaviour was towards Marris?——Yes; he called him rogue and rascal, when Marris's friends came.

Did you receive a letter at any time from Mr. Houlden?——Yes; when he had been down five or six days.

Who was the letter addressed to?——You; and you told me, as soon as the magistrates came, you would apply to them, as he had promised to behave better.

Did he give you any other letter?——Yes; on the Friday morning, the day of the magistrates meeting, he gave me another small note for you.

Did any debtor see him?——Yes, Mr. Low, a debtor, saw him there; he spoke to him at the door; Mr. Houlden was alone. If there was another debtor down, he would have been with him.

When I went down to liberate him, did I scold him?——No; you talked to him. He said, he would suffer any thing before his name should be brought into question again.

[*Cross-Examined by Houlden.*]

Don't you recollect saying how you had behaved to me?——No.

What did I say?——You said, you had been used very ill, and that you wished to speak to Mr. Lowe.

Did I ever apply to you to admit any other person to see me?——Yes; I brought you pen, ink, and paper, and you wrote a note instead to Mr. Reynolds.

Did none of them wish to come?——None of them applied.

Did Mr. Woodward?——No.

Did Mr. Mart?——No, never to go down; and if they had applied, it would have been contrary to the orders of the prison to admit them.

COMMISSIONERS.—Are those the general orders of the prison?——Yes.

How come you to throw me down?——I never struck you; you shoved the door against me.

Memorandum.

Memorandum:—In order to disprove that part of Tuxford's evidence, wherein he states that none of Thomas Houlden's friends applied to come to him, Houlden requested the Commissioners, that a summons might be granted to require the attendance of Charles Lowe of Boston: the summons was issued, and the next day he appeared.

Appx. (E. 9.)

CHARLES LOWE, of Boston, Sworn.

Charles Lowe.

I am a mercantile agent. I never was admitted to see Houlden during his confinement in his cell, to my knowledge; I don't know that I did; I asked to come down, and was refused.

(E. 10.)

Mr. JOHN MERRYWEATHER, Senior, Sworn.

Mr. Merryweather.

When my son is out of the way, I assist a little under him.

Do you recollect Mr. Marris desiring you to go up stairs; that Houlden would not suffer the door to be locked?——Yes.

Was you informed, that a lock had been put on the door, to prevent it's being shut?——I had.

When you got up stairs, what did you do?——I ordered it to be knocked off.

Who tried to knock it off?——The turnkey gave it two or three strokes, when I said, "knock it off;" Mr. Houlden swore it should not.

Did any scuffle take place?——Mr. Houlden laid hold of the turnkey, and they had a scuffle; Mr. Marris then took the cleaver, to the best of my knowledge, and he knocked the lock off, and while they were down on the floor scuffling, I then went away.

Was you examined before Dr. Illingworth?——I was.

Did you give the same account then?——To the best of my knowledge.

[*Cross-Examined by Mr. Houlden.*]

Where was the scuffle?——In the room; you got out of bed; it must be in the room.

Was the door open or shut, when they were knocking the lock off?——It was a little open.

Which side of the door was the bolt?——I am hardly able to say; I am 73; I cannot say.

Do you recollect whether the turnkey and me were at the top?——I never was in the passage, before or since.

The Reverend Dr. CALEY ILLINGWORTH.

Dr. Caley Illingworth.

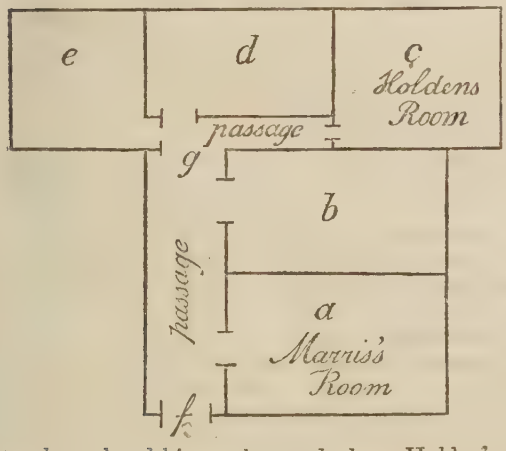
Being asked by the Court, whether he had any observation to make on the evidence, or any question to propose; replied, none.

Dr. Illingworth delivered in certain written observations on Houlden's Petition to the House of Commons, which he requested might be inserted in the minutes.

(E. 11.)

Some time in June 1811, Mr. Merryweather, the gaoler, applied to Dr. Caley Illingworth to visit the gaol, in consequence of a disturbance, and an assault committed upon his turnkey, William Tuxford, in the execution of his office.

Upon investigation, the facts were as under:—



The upper story of the debtors side of the prison consisted of five sleeping rooms, *a*, *b*, *c*, *d*, and *e*. All the doors opening into the passage were unlocked during the night, except the door at *f*.—Houlden, who occupied the room at *c*, was at variance with Marris, another debtor, who had the room at *a* to himself. In the night Houlden, or some persons in the room at *c*, frequently knocked at Marris's room door at *a*, to insult and disturb him, threw potatoes and other things at it, made water, and committed other nuisances in the passage.

Marris complained to the gaoler, who ordered the turnkey to lock up the door at *g*, to prevent Houlden and others from coming to his door at *a*. About a month afterwards, upon a further complaint of Marris, the gaoler ordered his turnkey to lock up Holden's door at *c*. Houlden hustled the turnkey, to prevent him from locking it up, and assaulted him. Mr. Merryweather, senior, and Mr. Marris, deposed upon oath, that they came into the passage, upon hearing the disturbance, and saw Houlden assault the turnkey. Two debtors (Foster and Brunyee) were called by Houlden as evidences, when it appeared they were in bed, and out of sight of the turnkey and Houlden. Houlden's language before Dr. Illingworth, was very violent and insolent.

Dr. Illingworth directed the gaoler to put Houlden into the refractory debtors room for ten days or a fortnight, unless in the meantime he acknowledged his contrition for his very improper conduct. Houlden was released from his confinement, upon his writing a letter to the gaoler, promising to behave better for the future, and not in consequence of Finnerty's petition to the House of Commons. Houlden was at large before the account of the petition being presented had reached Lincoln.

Dr. Illingworth never said, he was sorry he could not commit Houlden: he ordered him out

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out of the room only to consider the case, and the bearings of the evidence, and to look over the rules of the gaol. Dr. Illingworth did not use any improper language to Houlden, neither did the gaoler call him scoundrel and rascal. Dr. Illingworth would not have suffered such language in his presence.

Houlden, in his petition, states, that he was "committed to one of what are usually called "the condemned cells; which cells are about seven feet below the level of the front of the "prison."

There is no room or cell in this prison, but what is above the level of the outward area of the prison yard.

Lincoln, August 15, 1812.

(F.) A DETAIL of Facts tending to implicate the Gaoler and Visiting Magistrates at Lincoln Castle, in Misconduct.

ON my first addressing the gaoler, mildly expostulating with him as to the unnecessary rigour with which Mr. Finnerty was treated,—

He replied, in a voice so loud as to be heard all over the spacious area which surrounds the castle, "Mr. Finnerty is such a scoundrel, he shall not have another moment of air and exercise."

I remarked, this was very imperative language for a gaoler to use to a magistrate.

The stench denied to exist in the yard adjoining Mr. Finnerty's cell, by the member for the county, I felt considerably annoyed by.

That the magistrates virtually pleaded guilty to its existence, is proved by the following fact; viz.—

That when the severe reprehension of their conduct in the House of Commons reached Lincoln, they immediately ordered a stone to be placed over the grate from which the smell arose.

But as the rain from the roof descended, the stench being of a more rarified quality, ascended, as I found, after the placing of the stone.

The pretence of the magistrates and gaoler for restricting Mr. Finnerty to one hour's air and exercise, on account of an alleged attempt on his part to corrupt the turnkey—a false one; as he was subjected to that rigour a month, at least, previous to the assumed offence.

The offence, by the way, was only attempted to be substantiated by two convicted felons, and by a turnkey.

One of the felons has since avowed, that she was intimidated by the threats of the gaoler, to perjure herself before the visiting magistrates.—Mrs. Barton.

It is almost superfluous to remark, that as the turnkey was the only person who was allowed to see Mr. Finnerty, he could have corrupted the turnkey in one hour, as well as three; and to evince the pertinacity in oppression by the gaoler and visiting magistrates, if it rained in that hour (viz. from one till two) no other was to be substituted for it.

Several debtors have voluntarily come before me, and offered, and some sworn, that in no case have the visiting magistrates ever paid the least attention to their complaints, the gaoler always remaining in the room, and with his stentorian voice denounced several applicants as "the scoundrel," "the rascal." The magistrates usually exclaiming, "fellow, we "won't hear you; go down."

Thomas Houlden, one prisoner for debt (as will be proved by several witnesses) merely for objecting to have an inside door shut, in a small room containing thirteen prisoners in a hot night in June, and which had never been done before, except in cold weather, was, by a certain Reverend Doctor Illingworth, dignitary of the church, and magistrate, sentenced to a solitary cell, denied access to his friends, and pens and ink and paper; and which he has no doubt would have much exceeded the period of eleven days and nights, but for the severe animadversion received by the magistrates and gaoler in the House of Commons; on the receipt of which, by the newspaper, set him at liberty to walk and converse with his fellow prisoners.

This occurrence also had for seven days the same effect with regard to Mr. Finnerty.

Though refused to the testimonial of two physicians, (Doctors Fawssett and Charlesworth) in the county, and, I believe, three in London, which asserted, that air and exercise were absolutely necessary to his existence.

Indeed his subsequent admission to the prescribed quantum of exercise, as my personal observation proves, his extremely emaciated appearance being entirely removed.

To prove the extreme of the magistrates, to the testimonials of the before-named physicians, (one of whom is resident in this city,) another doctor was called in by the visiting magistrates, who though Mr. Finnerty refused to state his complaints, and consequently could not write a prescription, received a double fee, which was of course charged to the county.—Doctor Cookson.

The latter gentleman was (I conceive) improperly designated the "appointed visiting "physician." The dampness of the floor of Mr. Finnerty's cell, virtually allowed by the magistrates ordering a boarded floor, about eight inches elevated above the stone one, on the very day (Friday) previous to the arrival of the present sheriff.

I beg to submit to the Commissioners, whether the honourable member for the city, should be admitted as the advocate of the visiting magistrates, as he was in the House of Commons, he being one of them,—Colonel Ellison.

As a proof he is not deficient, in participating of the manners of the Lincoln and Kirton magistrates, at the latter place, where he is usually chairman, a learned friend of mine (now a sarjeant) from merely occasionally turning round to whisper to a client, was addressed by the

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the chairman,—" Mr. Rough, if you do not immediately turn round and face the Court, by " God I'll commit you."

I should observe, that this circumstance occurred after dinner; I believe similar ones often occur in that Court at that period.

Mr. Rough, upon the threat of the chairman, said, "-I insist on being committed." The chairman instantly dissolved the Court; the bench retired; and with the exception of three magistrates, Sir Charles Anderson, William Hutton, and Sheffield, signed a paper, declaring " The conduct of Mr. Rough to be highly indecorous and improper."

A meeting was nominally called (with about two days notice) to consider of some attacks on the visiting magistrates, and those in the immediate vicinity of Lincoln, in letters in the Stamford News, which I attended about two months since; but though the papers, I presume, containing the letters in question, were on the chairman's (Mr. Uppleby's) desk, they were not at all adverted to; on the contrary, the gaoler was called up to explain the cause of the insubordination, as they were pleased to style it, which had prevailed for the last three months (meaning, as I supposse, since the appointment of the present sheriff) which he, I conceive, having got his cue, attributed solely to the visiting magistrates, having, since the harsh treatment they met with in the House of Commons, ceased to visit the prison, so that the whole responsibility had devolved on him.

On my expressing a wish to be informed, in what the insubordination consisted; it appeared, that in about three months, out of fifty-five or six prisoners, six or seven had been once or twice drunk and turbulent.

The gaoler of course gave himself a very high character, and out of nearly sixty debtors, about forty-five appeared, on being summoned, and spoke favourably of the gaoler, with the exception of three, two of whom said, that one had slept in the same sheets for 17 weeks, another 15 weeks, on which the magistrates made no remarks, being evidently predetermined, as their whole conduct has always demonstrated, to stand by the gaoler; another debtor having been interrogated, as to the conduct of the gaoler, and being informed that all the rest who had appeared separately, had expressed themselves contented with his conduct, he indignantly exclaimed, " I am sorry for it, for many of them who had been before the magistrates, had promised to support me in just complaints." He dismissed, without any remark, six or seven debtors, who declined attending the summons; the magistrates, accompanied by me, went into their day-room: on being addressed in somewhat imperative tone, by a reverend magistrate, one of them, in a firm and decided manner, said, " We have " always applied to the visiting magistrates in vain for redress; we have already stated our " grievances to the sheriff;" are any of them here, and who?——Nesbitt Marris.

My firm conviction is, that my presence alone (being, I regret to say, the only magistrate in the county, who is possessed of sufficient energy and perseverance, to counteract the machinations of, perhaps, one of the most infamous combinations, which ever disgraced magistracy and humanity) was the sole reason why the papers in question, were not at all adverted to.

Being in a minority of one, at the meeting alluded to, I did not choose to get into an altercation with a set of gentlemen, amounting to, I believe, seventeen; but a certain reverend magistrate, Illingworth, observing, that the letters proceeding from a person like Marris, censuring the conduct of the visiting magistrates, were too contemptible for animadversion (though the meeting was specifically called for that purpose)—I could not help remarking, that, (without entering into the merits of the letters) from my personal knowledge, most of the facts are true.

Several other grievances, not herein detailed, will be better substantiated, both by written affidavits, and personal application to the Commissioners.

As a proof of the irregularity prevalent in the prison, two felons, that monster Myers, who was hanged at Peterborough, was placed with a man with whom it is asserted he committed a similar crime; that he also had access to a woman, with whom he had criminal connection in the natural way.

The wretch Crow, who participated in the guilt of Myers at Stamford, was placed with the turnkey, I believe, in the same bed.

I desire, before closing this simple narrative of what most, and I believe all are facts, I am tempted to submit to the gentlemen composing the Commission, a great defect in the construction of the yards, by being surrounded by walls, I believe, nearly thirty feet in height, which might be very beneficially commuted for high iron rails placed, as at Southwell, on a wall, say, six feet high.

I also submit to your consideration, whether, as the walls are at present so high, the necessity exists for putting on heavy irons.

It will be recollected that a learned judge, I think in the reign of William and Mary, made a similar observation.

G. LANGTON,
One of His Majesty's Justices of the Peace for the Parts of Lindsey, in the county of Lincoln.

I HAVE to apologize for not mentioning sooner, that at a recent coroner's inquest where I was present, the coroner (Drury) was closeted above half an hour with the gaoler, who of course, as he was necessarily implicated in the decease of the prisoner, would wish to select such prisoners as were likely, in order to conciliate by their verdict his favour, to employ them; which he would have done, but from the strong remonstrance on my part, and that of some debtors present; on which, the jury were selected promiscuously among the debtors. That prisoners at all, being more or less under the influence of the gaoler, should be allowed to constitute a part of the inquest, I hold wrong.

21st August 1812.

Appx. (F. 1.)

GEORGE LANGTON, Esquire, Sworn.

I AM a justice of the peace for the division of Lindsey.

COMMISSIONERS.—Did you, in the first instance, report the abuses of which you complained to the quarter sessions, pursuant to the statute 31 Geo. III. ch. 46?——I did not.

For what reason?——Because about three or four years ago, a report; which I respectfully addressed officially through the clerk of the peace to the quarter sessions at Kirton, being the same justices who act for these parts, was returned without any comment; merely that the gentlemen had returned such report by the clerk of the peace. It was not a particular, but general charge.

(F. 2.)
John Drakard.

JOHN DRAKARD, Sworn.

I am a printer at Stamford, and am in confinement here for a libel.

Did you ever complain to the visiting magistrates of any ill-treatment?——I never complained but once; that was by letter to them in October last, which I gave into the hands of Mr. John Nelson, a visiting justice, myself.

What was the nature of that complaint?——It's a question I don't mean to answer; do you think I have not common sense?

No answer was given to the complaint.

To the Visiting Magistrates of the Castle, Lincoln.

Gentlemen,

Mr. Merryweather has this morning told me, through his turnkey, a felon, (a very proper turnkey to be sure, but of this more hereafter,) that my coals shall not be laid in an adjoining cell, where they have lain ever since I have been committed; and as they annoy no one, the motive for this order is obviously to annoy me. As I do not mean to submit either to the tyranny of a gaoler, or to that of any other man, I should be glad to know from you, gentlemen, whether you can deem this order consistent with the directions you gave when I first came to the prison,—that I should be allowed every accommodation the gaol afforded. Your interposition I request as early as convenient, as it is intolerable to me to be subject to the coxcomical whims of a jack in office.

I have the honour to be,
Gentlemen,
Very respectfully, your obedient Servant,
J. Drakard.

Castle, Lincoln, Monday morning,
Oct. 28th, 1811.

(F. 3.)
John Hindley.

JOHN HINDLEY, of Moreton, late a Debtor; Sworn.

I often made complaints to the visiting magistrates, for my county allowance, and about my room, both to the magistrates and gaoler, to Dr. Illingworth and Mr. Nelson.

I complained of my room to Dr. Illingworth and Mr. Merryweather; I was very ill and put into a bath; I said, I could not sit among the people, and asked for a fire; nothing was done; I had my county allowance taken off ten weeks; I made complaint about it to the same gentlemen; Dr. Illingworth would not speak to me; the complaint was by word of mouth, in the yard; the visiting magistrates were then coming to business; Mr. Nelson said, I should have conducted myself properly; Dowse was not attended to as he should be.

Mr. Merryweather.—There is a regulation of the magistrates that a debtor selling liquor allowed him, shall be deprived of his county allowance. He was denied a fire in the room, because there were a great many people in it, and it would have made it unwholesome. He was prohibited, by the rules of the prison, his own bed during the day, except in cases of illness.

(F. 4.)
Robert Marris.

ROBERT MARRIS, a Debtor; Sworn.

The magistrates, Dr. Illingworth, Mr. Nelson, Mr. Charles White, Mr. John Cracroft, Mr. Henry Hutton, and Bromhead, in 1809, at three meetings, on three successive days, repelled my complaints, and insulted me. Doctor Illingworth and Mr. White were the only two of whom I complain of insolence: the insult was from Doctor Illingworth: he told me, I might do as I pleased; they were determined not to hear me, after they permitted the gaoler and turnkey, when they found I pinn'd the gaoler closer than they wished. I then demanded copies of the depositions, first stating, I insisted the gaoler and turnkey being put on their oaths, to let me see whether they dare swear to their depositions, which I knew to be false and malicious: they accordingly swore the gaoler and turnkey; I then requested copies of the depositions; upon demanding them, "I must insist, as a professional man, that I have a right to a copy of the depositions, for which I will pay your "clerk."—Mr. White, in a very arrogant and insulting manner, said, "we know you only "as a prisoner; we don't know you as a professional man;" or words to that effect. I then said, "Sir, although a prisoner, I am a gentleman, and expect to be treated as such: if you "believe what the gaoler and turnkey have sworn, you are not doing justice, unless you "commit me for trial for so serious a charge." Mr. Hutton said, we will or must support the gaoler. Doctor Illingworth observed, "Sir, we could punish you, if we pleased, for what

" what the gaoler and turnkey have sworn; but from a gentleman of your respectability we " don't wish to do it." I said, you are not doing justice, in not enabling me to bring to punishment the gaoler and turnkey, for having so maliciously sworn against me. I assured the gentlemen I would pledge my existence, that upon oath of every debtor in the prison, we would prove the charges to be false and malicious against me. Upon which, Doctor Illingworth replied, " Sir, you may do as you please—we are determined not to hear any " thing you have to say, or any of your complaints." The gaoler called me several times an insolent, troublesome fellow, before the magistrates, who never checked him. They persisted in not hearing me; I had the charges of the cruelty, up to that period, if the magistrates would have heard them. I told them I had a list, which I would have tendered them, of the ground of my complaint: I am materially injured among my friends by it, because they would not do it away.

Appx. (F. 4.) *Robert Marris.*

[*Cross-Examined by Doctor Illingworth.*]

What was the nature of the charge against you?——The gaoler swore before you, that I had been in a state of constant intoxication, had excited prisoners to rebellion, and encouraged the prisoners in drunkenness and disobedience; that one night, when the turnkey was ringing the men into their night-room, I headed the men, and advised them not to go.

[*Cross-Examined by Mr. White.*]

What was the occasion of the meeting breaking up?——I don't know; you ordered me out; you found the gaoler committed, and you were determined to screen him; that is what I accuse you of.

Did you not state to the magistrates, you had suffered a material injury in your head by a fall from a horse; and that on that day, from that injury, you were labouring under temporary derangement?——I recollect stating to you, the same as I have already stated to the Commissioners, that from a violent concussion of my brain, from the fall off a horse, I was subject to a temporary suspension of my recollection.

Did the meeting break up, in consequence of this suspension?——It did not.

Do you remember promising the magistrates, you would behave better in future?——I do not.

Do you remember any threat you then used?——I threatened to bring the conduct of the magistrates before the Court of King's Bench.

Did you pledge yourself to do it?——I did not; I stated, when it was in my power I would, as soon as I had the means.

THOMAS HOULDEN, of Spilsby, late a Debtor; Sworn. (F. 5.)

At one time the debtors made a general complaint, about a year and half ago; I got a letter conveyed out to the magistrates on a market day; that we were confined to take our ale at a certain house, when it was very bad; and other debtors complained of the county allowance being taken away from them. I was admitted into the room to the magistrates, Dr. Illingworth, Mr. Nelson, Mr. Craycroft, Mr. Bromhead, and Mr. Hutton: they paid no attention to what I said.

Thomas Houlden.

Mr. Merryweather interfered very much. They always made a rule of coming at the dinner locking-up hour. They were always closeted with Mr. Merryweather some considerable time before the complainants could be admitted; another person, Woodward, was called in, and came out immediately. There were 14 or 16 waiting, who were never heard at all with complaints.

EDWARD WOODHEAD, late a Debtor; Sworn. (F. 6.)

I believe I wrote four times to the magistrates on behalf of myself and the other debtors, on account of the market woman, Mrs. Peacock, imposing on the debtors in the prices of things. I once appeared before the magistrates; but they generally came at dinner hour, the lock-up time, so that we had no possibility of seeing them. I was making a complaint against the market woman, when I was interrupted by Mr. Merryweather, who said, our intention was to impose on her, and she should not be injured; I remarked its being a very uncommon interuption; a general conversation ensued, and a *wrangle*, and Mr. Merryweather said, I was not to be credited; so I was dismissed. There were no minutes taken; it was like an alehouse.

Edward Woodhead.

JAMES BRUNYEE, late a Debtor; Sworn. (F. 7.)

I made a complaint before the visiting magistrates, spoke to Doctor Illingworth about county allowance being taken off, but he told me to go about my business and conduct myself better.

James Brunyee.

PETER FINNERTY, Sworn, (late a Prisoner for a Misdemeanor.) (F. 8.)

On the day after my arrival at the prison, being then exceedingly ill, and situated in a cold ground floor apartment, the door of which was opposite my bed; I was seated when Doctor Illingworth entered my apartment; as soon as he entered, a person who came with me from London to assist me, left the room; I think he was accompanied by Mr. Nelson, who immediately left the room. Doctor Illingworth asked, in a very offensive manner, " Who " is that fellow who left the room?" I answered, " A person from London to attend me " during my illness;" " Oh!" said he, sneeringly, " I heard in the town you was so ill you was no

Peter Finnerty

Appx. (F. 8.)

Peter Finnerty.

not able to get out of bed;" I then said, " not so Sir, thank God; I am not quite so ill; I am very ill, and likely to become worse, if detained in this situation." I then informed him my situation, and the opinion of my London physicians, and that air and exercise were essential for me. I described, as far as his ungracious and impatient manner would encourage me to proceed; I told him, the gaoler would allow me but an hour a day to go out.

Doctor Illingworth left the room, paying no attention to my request, to have a door, or something as a shelter from the cold yard. Doctor Charlesworth had been with me before and after; according to my recollection, this was on the Monday, I think it was; I drew up a remonstrance to the visiting magistrates, who were, I understood, to meet the Friday following. I was induced to believe some of them were good-natured men; I presented it accordingly. The magistrates visited me on the Friday; which remonstrance was accompanied by Doctor Charlesworth's Certificate. [Certificate admitted] In my remonstrance to the magistrates, I mentioned the names of three or four physicians in London, who recommended I should enjoy air and exercise, because from early life I have been subjected to violent spasmodic affections in the stomach. The visiting magistrates who came to me were Doctor Illingworth, Reverend Mr. Bromhead, Messrs. Cracroft, Hutton, Nevill, King, and Nelson. I again described my state; I told them, in addition to what I had stated, I expected business from London; and if they did not allow me air and exercise, I should not be able to write, and had no means of subsistence. Doctor Illingworth and Mr. Hutton appeared to me to listen to my statement with the most careless indifference; Mr. Hutton said, " can't " you write here, isn't there a desk before you?" I told him, I thought I could not be expected to write there, exposed to aggravation and confinement. Mr. Nevill King suggested, that as I was subjected to those spasms, and the turnkey's room being at a distance from my apartment, a bell ought to be allowed, to ring for him occasionally, if I should be attacked. The effect of the operation of this spasm I described to them. Mr. Nevill King's suggestion was not, and never has been attended to. I earnestly requested an airy apartment in front of the prison; I neither then, or at any time, objected to the size of my apartment, but to its situation. Mr. Hutton (I think it was) said, " there is no apartment vacant in the front of " the prison, except the governor's house, and we cannot compel him to accommodate you in " his own house; we understand Mr. Cobbett pays three guineas a week for his accommodation " in the governor's house at Newgate;" I observed, " my means were unequal to any such payment;" " why", said Mr. Cracroft, " your friends are making a subscription for you, which is likely to be considerable:" " But," said I, " gentlemen, without invading the governor's house, I " understand one prisoner has two large rooms in front of the Castle; will you be so good, " under the circumstances, to order me one of them?" Yes," said Mr. Hutton, " but he pays " for them;" Mr. King, who behaved like a gentleman, said, the magistrates would consider my case.

Next day Doctor Cookson called, told me he had been sent by authority of the magistrates; and put some questions respecting my state of health. I was quite surprised at his visit, and told him, another medical gentleman, Doctor Charlesworth, had just been with me. After remonstrating with him on the nature of such an intrusive visit, as I conceived it, he had hardly been three minutes on his seat, when he said, the place was evidently in want of air. I think I expressed a hope, that he was not sent to me by the visiting magistrates, of whom I then had a very unfavourable impression, from the same motive that a military officer takes a surgeon to the halberts, to watch what quantity of ill-treatment the animal can bear, without risking his life; that he was not come to see what quantity of rigour could be inflicted upon me, without risking my life, and so committing my keeper, the doctor left me. Upon the Sunday following, I received a verbal communication from the governor's father, that I should be allowed to walk out three hours a day; which gaoler's father consented, I should fix one hour before breakfast, one at mid-day, and in the evening. The gaoler, who was then from home, returned in a few days after; I believe the day after his return, he told me, he had settled with the magistrates, that these three hours were only to be allowed from ten or eleven in succession; I remonstrated against this arrangement, observing, it would be rather a fatigue, than an indulgence; that my health was unequal to it; the governor said, that mattered nothing to him; I might appeal to the magistrates, if I pleased. The assizes then commenced, and I had no opportunity of access to the magistrates; the gaoler refused to let me out.

I then wrote a letter to the visiting magistrates, which I gave the gaoler himself, when the magistrates were there; which I omitted to mention; Doctor Illingworth said, as to the room, Mr. Merryweather has consulted with him. After the assizes, Mr. Merryweather, of his own will, permitted me to have exercise as originally. I complained to the magistrates of the smell, on their first visit on the Friday.

There was some animadversion on the gaoler's conduct in the news-papers; and I was afterwards allowed four hours a day, which continued ten days or a fortnight, until Mr. M^c^ Carty, who came from London, told me he had been refused an order to visit me; he then went to the under-sheriff, who told him, the sheriff would not interfere with the magistrates. After being allowed these four hours, I received a note from Mr. Merryweather; (see note in Mr. Finnerty's written complaint.) When I pressed the necessity of exercise, and that without it, I could not perform the common offices of nature, Mr. Cracroft advised me to take toasted figs.

[*Cross-Examined by Mr. Nelson.*]

How long was I out of the room, the day after your arrival?——I don't recollect.

Do you recollect my saying, we wished to afford to you every accommodation?——I don't remember it; you was never personally uncivil to me.

[Dr.

[Dr. Caley Illingworth here put in papers, documents, and orders, respecting Mr. Finnerty, during his confinement.]

THOMAS MURDOCK, late a Debtor; Sworn.

Appx. (F. 9.)

I have the same complaints as all the other debtors had; the sleeping rooms were locked up all day.

Thomas Murdock.

The magistrates came always when we were locked up.

JOHN BROWN, Sworn, late a Debtor.

(F. 10.)

Mr. Merryweather made a charge against me for fifteen shillings, for bed money, which I refused to pay; I made a complaint to the magistrates, because my county allowance was taken off for selling a bottle of ale. The magistrates said, they would support the gaoler.

John Brown.

(F. 11.)

Mr. Merryweather stated, that Myers, who was committed on a charge of sodomy, was placed during the day in a ward for men on suspicion of felony, in which four or five were confined.

They knew his character, and there was nothing to be apprehended from it.

He was committed on the 8th October 1811; tried, 10th March 1812. After some time, he and one of the men in the room, were observed to be more than usually familiar in their manners, which roused the indignation of the other men, and they informed me of it.

I immediately removed the young man, Sharman, aged 20, into an adjoining day-room, and put him with transports, without assigning a reason; I learnt from the other men, who had informed me, that Myers shewed great signs of uneasiness after he was removed.

Sharman feigned illness, in order to go to his lodging room in the day-time, the window of which opened into Myers's yard; by this they could have communication; this was soon discovered by the men, who informed me of it. I then charged the young man, in the presence of Drakard, with my suspicions, of Myers having behaved improperly towards him; he denied it for some time, and then confessed to some liberties. As soon as this was discovered, he was removed to a single room, and was never night or day with any body during the remainder of his confinement.

Mr. Langton here expressed, that he was perfectly satisfied, and should not proceed with that complaint.

Mr. Merryweather stated, that about a week or ten days before the assizes, he received a letter from the town clerk of Stamford, stating, that Crow would be sent in two or three days time, as King's evidence against Myers, and begging I would take care to prevent any communication between him and Myers.

I immediately wrote back, to beg he would not have him removed until assize Monday, for as he must be placed in the crown prison, I could not put him in any part where Myers and he could not have verbal communication; I wished him not to come till he could be immediately taken before the grand jury.

He arrived on the Monday, and went on that day before the grand jury; I put him in the turnkey's room in the day-time, and at night, having consulted the turnkey, he slept in the bed with him; he remained two days and two nights, and was then discharged by proclamation.

Mr. DRAKARD, Sworn.

(F. 12.)

There was a room next to the turnkey's, unoccupied, where he could have slept.

Mr. Drakard.

[*Cross-Examined by Mr. Merryweather.*]

If he had been placed in that room, was it not possible, he might have had verbal communication?—Yes, he might, by shouting; but the turnkey might have prevented it.

With respect to Godfrey's case, the coroner's record of the verdict was put in, and proved on oath by Mr. John Drury, the coroner.

(F. 13.)

The gaoler says, it was the custom for the debtors to have the ale from two houses, and they were refused sending for it elsewhere, under the idea, they were compelled to go there; but since he has known the law upon this subject, and a formal application made to him, this has been altered.

(G.)

COMMISSIONERS, to *Mr. Marris.*—Have you any complaints to make against the visiting magistrates or gaoler?——Yes, I have twenty complaints.

COMMISSIONERS.—But almost every complaint you have delivered in, is respecting matters that are either prescribed or forbidden by the rules of the gaol.

Marris.—I complain of the rules; I deny the authority of them; the rules are cruel; I believe the judges and the magistrates will regret the day they signed them; they border upon cruelty.

COMMISSIONERS.—We have no authority to supersede rules which have been framed by the magistrates, and confirmed by the King's judges of assize, conformably to Act of Parliament.

Marris.—My complaint is against the visiting magistrates.

COMMISSIONERS.—On what ground?

Marris.—They positively refused to hear my witnesses in the year 1809.

COMMISSIONERS.—What was the complaint, and who were your witnesses?

Marris.—Here are the names of them, "A List of the Debtors, who were all ready, in "1809, to prove that the charges made against Mr. Marris, were false and malicious."

COMMISSIONERS.—Let us understand each other; the complaint seems to have been made against yourself; was any thing done upon it?

Marris.—I don't recollect.

COMMISSIONERS.—

Appx. (G.)

COMMISSIONERS.—But we must know something of the proceedings, before we can judge whether the magistrates acted right or wrong. Do the magistrates know any thing of it?

Dr. Illingworth.—We admit there were charges made against him in the year 1809, for promoting drunkenness and disobedience in the gaol; we heard the charges, and I think I recollect we finished by some advice and observations, that from the respectability of Mr. Marris's connections, we did not wish to proceed against him. He was dismissed, and had no punishment whatever.

Marris.—I denied the charges to exist, and offered my defence, but you refused to hear me, for I asserted, they were founded in malice and perjury.

COMMISSIONERS.—But how were you affected by it?

Marris.—They would not hear my witnesses, and all the turnkey said was founded in malice and perjury.

COMMISSIONERS.—Let the Court be cleared.

Mr. Marris having conducted himself in a very disrespectful and intemperate manner, and having made frequent apologies, and repeated his irregularities, and having throughout the business discovered a disposition of mind not sufficiently composed to assist in the furtherance of the enquiry; the Commissioners consulted on the expediency of putting an end to such indecorum, and resolved to acquaint him, that his further attendance as an accuser, would not be expected.

(H.)

Peter Finnerty.

Peter Finnerty saith, That in the month of February 1811, he was committed to Lincoln Castle, for a misdemeanor, in having publicly accused Lord Castlereagh of permitting the infliction of torture in Ireland, in the year 1798, and of other misdeeds; the truth of which, deponent offered, and was ready to prove before the Court by which he was sentenced; that upon the night of deponent's arrival at the said Castle, and receiving a description of the place where it was intended to confine him, he remonstrated with the gaoler against his intention, and appealed to his consideration and humanity, with all the force in his power; stating, that from the nature of his constitution, and the state of his health, which was then obviously ill, an airy apartment, and the opportunity of enjoying fresh air and exercise, was desirable to the preservation of his life. That the gaoler in reply said, that there was no other apartment in the prison convenient; and that there being then an unusual number of debtors in prison, all the rooms in front were occupied; which statement, deponent understands to have been false. That soon, or immediately after such statement, according to deponent's recollection, the gaoler observed, that he understood Mr. Cobbett, who was then confined in Newgate for a libel, paid five guineas a week for his apartments, in the gaoler's house; to which deponent said, that he heard Mr. Cobbett only paid three guineas a week. That before the departure of deponent from the King's Bench Prison, the marshal (Mr. Jones,) who had furnished deponent with the best accommodation in that prison, had assured him, that he would write to the gaoler (Mr. Merryweather,) to inform him of deponent's state of health, and to request for him a warm and suitable apartment; the receipt of which letter in due course the gaoler acknowledged to deponent; yet when committed to the apartment assigned him, deponent found it was on a ground floor, and felt it so very cold, that he was under the necessity of requesting from the gaoler an unusual quantity of bed clothes. That on the following morning, deponent repeated his remonstrance to the gaoler; which remonstrance, he urged with still more earnestness, when he found that he was to be allowed only one hour each day for the enjoyment of air and exercise in the Castle-yard; but his remonstrance was unavailing. That in the course of the day, Doctor Illingworth called upon the deponent, and behaved to him in a very ungentlemanlike manner, notwithstanding his evident illness, and the miserable place in which he was confined, with access only, excepting the hour before mentioned, to a yard about ten yards square, enclosed by a wall about thirty feet high; that deponent proposed to the gaoler, to pay any reasonable sum consistent with his means, for an airy proper apartment; and through Mr. Mason, an attorney, he offered thirty pounds a year for one of the thirteen rooms of the prison, which deponent understood the gaoler is allowed to appropriate for his own use, if no room usually assigned to prisoners was vacant; that Mr. Mason, upon this proposition, observed to deponent, for whom he then professed friendship, that half a guinea a week would be quite enough; but deponent remarked, that the terms were no object, meaning thereby, that the difference between 26 guineas and £.30 a year, was no object. That Mr. Mason pointed out a particular room, for which, he said the gailor had no occasion, and which he expressed his opinion, that he ought to grant deponent; that of this room, which is denominated a drawing room, deponent is assured, and believes, the gaoler has not made use more than twice for the last five years. That finding all appeals to the consideration of the gaoler ineffectual, feeling his illness aggravated, and apprehensive, from the opinion of his physician, that it was likely to become still worse, if no better accommodated, deponent had a remonstrance presented to the visiting magistrates, of which remonstrance, the following is in substance an extract:—"I am confined upon a ground floor in a cold "gloomy apartment, the door of which is nearly opposite to my bed, and opens into a "small yard, which is inclosed by a very high wall, so high indeed, as to exclude the free "current of air. In the centre of this yard is a grate, from whence issues a smell so offensive, "as to annoy me even in my apartment; while I am denied the opportunity of relief, by "being precluded from taking air and exercise in the Castle-yard. Of this privation I have "the more reason to complain, because from the state of my health, being subject to indi-"gestion and violent spasmodic affections in the stomach, I have uniformly been advised "by all medical men, whom I have had occasion to consult, to seek the enjoyment of fresh "air, and to take as much exercise as I could bear. Such has been the opinion of the

"physicians

Appx. (H.)

Peter Finnerty.

" physicians whom I consulted in London, and such also is the opinion of the physician to " whom I have had occasion to resort since my arrival here, and whose certificate is annexed. " Such treatment as I complain of, is, I am persuaded, as contrary to the intention of the " judges by whom I have been sent here, as it is, I submit, inconsistent with that to which " any person committed for a misdemeanor, ought to be subjected."* That in consequence of this remonstrance, deponent was called upon, some days after his arrival, by the following magistrates, namely, Doctor Caley Illingworth, the Reverend Mr. Bromhead, Messrs. Cracroft, Nevill, King, and Hutton; that when deponent solicited these gentlemen for an airy apartment in the front of the prison, he was told, that from the number of imprisoned debtors, there was no apartment vacant; and that they (the magistrates,) could not compel the gaoler to accommodate deponent in his own house; one of the magistrates (Hutton) adding, that it was understood Mr. Cobbett paid three guineas a week for his accommodation, in the gaoler's house at Newgate. But deponent observing, that he could not afford to pay any such sum, another of the magistrates, (Cracroft) said, "why, your friends are " making a subscription for you, which is likely to be considerable." That deponent stating, as he understood, that without encroaching on the gaoler's house, a room could be provided for him in the front of the prison, as one prisoner had two rooms; "yes," observed one of the magistrates, "but he pays for them." That deponent urging upon their worships attention, that from the peculiar state of his health, an opportunity for the enjoyment of more exercise in the Castle-yard, than the gaoler allowed, was indispensably necessary, even to the performance of the common offices of nature, Mr. Cracroft recommended him to take " toasted figs." That Mr. King, who alone among the magistrates exhibited a humane disposition, suggested the propriety of having a bell hung, so as to enable deponent to call the turnkey, whose room was very distant from his, in case he (deponent) should be attacked at night by the spasm of which he complained. But Mr. King's suggestion met no attention, nor were any means ever afforded to deponent of calling the turnkey upon any occasion, but that of rapping at his door, which he was often under the necessity of doing for half an hour before the turnkey answered; when he generally answered with insolence. That after the above conversation with the magistrates, which in substance deponent is certain of having accurately reported, their worships withdrew with a promise to consider deponent's case; that on the day after this visit, a Doctor Cookson called upon deponent, saying, that he had been sent by the magistrates to examine the state of deponent's health; that deponent was astonished at the visit; and having reason to believe that it took place solely with a view to ascertain whether the close confinement of which he complained, could be continued without endangering his life, and so committing his keeper, expressed himself in appropriate terms to the doctor, who soon withdrew. That, however, two or three days after the call of the magistrates, an order was issued to allow deponent the opportunity of enjoying air and exercise in the Castle-yard, for three hours each day, which, at deponent's request, was fixed for one hour in the morning, one at mid-day, and one in the evening; but accompanied by an injunction, that he should have no communication whatever with the debtors. That the gaoler who had been from home when the above order was received from the magistrates, was upon his return, as deponent understood and believes, quite discontented with the arrangement of the time, although highly pleased with the injunction which accompanied the order; which injunction was confessedly issued at his own request, with a view, as deponent has reason to believe, to prevent him from receiving any information as to the gaoler's misconduct towards those debtors, and as to the general management of the prison. That deponent has heard of the gaoler's having stated, that he would get the magistrates (whom, as deponent has heard and believes, he (the gaoler) frequently boasted he could manage as he pleased) to fix the time for deponent's walking out in the Castle-yard from ten or eleven, until two o'clock, upon the ground, as he (the gaoler) said, that he must have a turnkey "to watch the fellow" during his walk; and that he could not conveniently spare such a watch at any other time of the day. That accordingly, soon after, deponent received an order from the turnkey to take his daily walk as above described; but upon strongly remonstrating against such an arrangement, as inconsistent with the object for which the opportunity for exercise was granted, it was not insisted upon. That the spirit and purpose of the gaoler, however, appeared to undergo no change or mitigation, and therefore precisely at the termination of each hour fixed for deponent's exercise, the turnkey came to deponent with an order from the gaoler, to come in; which order was generally delivered in an offensive manner. That in the course of the period here referred to, and from the moment of deponent's committal, no friend was admitted to see him, unless by the gaoler's express permission. That several respectable persons, whom deponent wished to see, were refused admittance; and, on one occasion, deponent remonstrating with the gaoler, in consequence of an objection to the admission of Mr. Wray, banker of Lincoln, to his apartment, the gaoler attempted to justify this singular objection, by urging the propriety of his taking care that no one should be admitted into the crown prison, who might bring instruments of escape to his prisoners; thus insulting deponent by an express suspicion, that Mr. Wray, and other friends whom he wished to see, were likely to commit an act of felony. That deponent, however, solemnly declares his belief, that the gaoler seriously entertained no such suspicion as above mentioned, but that the expression of it, was a mere pretence to insult deponent, and to annoy him by excluding his friends; that such was the taunting, teazing system, such the peevish exercise of authority under which deponent suffered, without having been guilty, or even accused of the slightest irregularity in the prison, without having offered the gaoler, or any of his officers, the least offence; without having had with him or them any sort of personal altercation. That deponent, however, believes the gaoler was actuated by motives of hostility against him, which will

* See page 66.

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hereafter be explained, but still more by the political prejudices of the visiting magistrates before mentioned; who, in the course of deponent's persecution, often said to the gaoler, as deponent has heard and believes the gaoler himself to have declared thus, "We need "not, Merryweather, give you any orders to keep the fellow (deponent) tight enough, "for we know you'll do it;" or words to that effect; that the gaoler was, as deponent understood and believed, annoyed by the observations out of doors, with regard to the treatment of deponent; that at length he was urged by those observations to call upon deponent, accompanied by another person, and told him, he should be allowed to take exercise for four hours each day, with which, deponent expressed himself content, although he could see no reason why he should be precluded from enjoying the air of the Castle-yard during the day, if he wished, as well as the debtors; as well indeed as some of the common felons, who were taken out to work throughout the day for the gaoler's profit, while deponent was limited as to the time allowed to go abroad for his health; that deponent, however, perceived that the gaoler did not grant the above extension of time with a friendly grace; that he did not concede in the spirit of concession; that still a prejudice against him, lurked in the gaoler's mind; that of this prejudice, deponent had ample proof in a short time afterwards. Some of the female convicts being in the County Hall, one of them addressed deponent from a window, and a short immaterial conversation took place; that a few days after this conversation, deponent received a note from the gaoler, which note is in deponent's possession, and of which the following is a copy: "Mr. Merryweather having preferred a complaint to the magistrates against Mr. Fin-"nerty, for endeavouring to seduce his turnkey from his duty, and also for offering money "to the female prisoners while cleaning the County Hall, in order to be criminally connected "with Mary Draper, feels it necessary to restrict Mr. Finnerty to his own ward, till Mr. "Merryweather is acquainted with the magistrate's determination thereon." That while deponent disdains the affectation of being more or less than man, with his ordinary feelings about him, he declares to be essentially false the charge in this note, which was mainly relied upon by the gaoler, and by the magistrates also, as a justification of the rigour that followed, namely, the endeavour to seduce the turnkey (William Tuxford); the said turnkey himself having been the first to propose bringing a woman to deponent; which proposition the said turnkey repeatedly made, provided deponent would give him the money he required; that deponent being conscious of the falsehood of this charge, asserted that falsehood, and requested an interview with the gaoler, in order to explain; but this request, although often and earnestly made, was most rudely refused; that deponent has reason to believe, the gaoler lay in wait for some pretence to revoke the grants which had been reluctantly made him, as to walking on the Castle-yard, and that he (the gaoler) gladly availed himself of the apology, to ill-treat him, which this story afforded; that deponent was thenceforth for several weeks treated with peculiar rigour, being altogether confined in the small yard already described, and denied the liberty of seeing any person whatever, except in one instance, when the person admitted upon business, was accompanied by the turnkey, who stood by during deponent's conversation with him; which conduct is the general system of the prison towards the worst felons; nay, for some days after the receipt of the before-mentioned note, deponent was refused the liberty of going to the warm bath, although in the habit of resorting to it since his arrival at the prison, until a physician was called to wait upon the gaoler, and state that the said bath was necessary to deponent's heath; that deponent, after much experience of similar harshness and insolence, wrote to Mr. John Cracroft, one of the visiting magistrates before mentioned, describing to that gentleman the treatment which he (deponent) suffered, particularly complaining of the conduct of the goaler in the infliction of punishment, before any decision was pronounced, as the gaoler's own note stated; remonstrating against the idea of any decision upon the alleged charge, without hearing deponent, without confronting him with his accusers, and requesting the honour of a visit from Mr. Cracroft in his official capacity; still to this letter, which was couched in the most respectful terms, and to which deponent conceives it was the duty of Mr. Cracroft to attend, deponent never even received an answer; but about a fortnight after it was sent, Mr. Marris, a fellow prisoner, brought deponent a message, among other communications from the gaoler, that Mr. Cracroft had received his letter, but would pay no attention to it; which message was delivered in the presence of Mr. Rickett, who was also a fellow prisoner; and deponent has since learned from Mr. Marris, that the gaoler's message was delivered to him in the following terms: "Tell the scoundrel that Mr. Cracroft "has received his letter, but will take no notice of it." Thus this magistrate (Mr. Cracroft), instead of attending to the prescriptions of the law, by enquiring into the complaints of a prisoner, with a view to secure him humane treatment from the gaoler and his officers, did make such communication of that complaint to the gaoler, as was obviously calculated to inflame the rancour, and excite an aggravation of the ill-treatment of which deponent complained; that in point of fact, deponent has reason to believe that the effect stated, which he most sensibly felt, was owing in a great measure to the said communication; that in consequence of such ill-treatment, deponent became very ill; the air being so bad, through the smell, and the closeness of the yard before mentioned, and the space for his exercise being so limited, that deponent was seldom free from head-ach, was at least every 48 hours attacked by a spasm in his stomach, and for some weeks never performed the common offices of nature without medicine; that while deponent was so confined, Mr. Challis Sheath appealed to the gaoler in the presence of a fellow prisoner, requesting him to treat deponent with lenity, and particularly urging the state of his health, which required air and exercise; but the gaoler answered the appeal to the following effect: "No (said he) the scoundrel has pre-

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" sumed to meddle with my prisoners, and he shall feel the consequences; I have him now " in my power, and i'll settle him:" which declaration deponent conceives to evince a very different motive of action, on the part of the gaoler, from that which was publicly avowed; and that instead of deponent having been so closely confined, and so rigorously treated, in consequence of an alleged attempt to tamper with the turnkey, and addressing a female prisoner, such confinement and rigour was owing to the freedom with which his sense of humanity and justice prompted him to observe upon the conduct of the prison, and especially upon the death of a debtor of the name of Dowse; that the gaoler was in vain informed by his attendant physician, that the opportunity of enjoying more air and exercise was necessary to his health; that the said physician made a similar representation in writing to the visiting magistrates, but in vain; that frequently in the course of such suffering, deponent requested the person whose attendance he was compelled to accept, although he had reason to believe him a knave, and the turnkey, to make known his situation to the gaoler, who would not come to see deponent, although solicited so to do; that at length it was deemed by his physician proper to call in another physician, whose certificates as to his case, were forwarded to the sheriff (Sir John Trollope), to whom deponent had some time before addressed a letter, descriptive of his treatment, but received no answer; that the following are copies of the said certificates:—

" After presenting, as addressed, the subjoined testimony, Mr. Finnerty was per- " mitted to walk three hours a day in the area surrounding his prison, and in a week or " ten days from that time, was so far recovered from his complaints, as to render a con- " tinuance of my visits unnecessary: immediately upon his return to close confinement, my " professional assistance was again required, and in the course of three weeks I find all his " former symptoms not only returned, but greatly aggravated: under these circumstances, " it is my opinion that the same, or a stronger necessity of fresh air and exercise exists, than " did at the time of my former application.

" Lincoln, April 29, 1811."

(Signed) " *E. P. Charlesworth, M. D.*"

" Being called upon, in my professional capacity, to visit Mr. Peter Finnerty, in the Castle " of Lincoln, I found him affected with many severe complaints, arising from disease of the " digestive organs, with which, from his own testimony, he has at different times before, " when deprived of the opportunity of air and exercise, been in a slighter degree affected. " From the testimony also of Doctor Charlesworth, who has attended Mr. Finnerty during " the greater part of the time he has been here, these complaints existed to a considerable " degree of severity, on his first coming, but almost entirely went off on his being allowed " a freer air and more extended place of exercise. Within the last three weeks since, he has " been again more closely confined; they have returned in a much aggravated form. It is " my opinion that there is little or no chance of his health being restored, without a freer " allowance of air and exercise, than the confined court to which he is at present restricted, " will admit of; but on the contrary, every prospect of his complaints going on increasing.

" Lincoln, April 29, 1811."

(Signed) " *John Fawssett, M. D.*"

That some time after these certificates had been transmitted to the sheriff, a meeting of the visiting magistrates took place at the prison, and deponent was summoned to go before them; he found they consisted of Doctor Caley Illingworth, the Rev. Messrs. Bromhead and Nelson, and Messrs. Hutton and Cracroft; that upon his appearance before this meeting, deponent was informed by Mr. Cracroft, that he was then afforded an opportunity of hearing the depositions against him, and being confronted with his accusers, as he had requested in his letter several weeks before; that the depositions appeared to deponent; and he had reason to understand them, to have been drawn up even before he was closely confined; and the witnesses against them, consisted of William Tuxforth, (the turnkey) Goodwyn, deponent's before-mentioned attendant, and two female convicts; that one of these convicts, (Elizabeth Barton) who had been sentenced to death, as deponent understands, for passing counterfeit bank notes, but whose sentence was commuted to transportation for life, was treated by the gaoler with peculiar favour; that since her deposition, the said Barton has declared to several persons, that she did not see any harm deponent had done, in the affair respecting the women in the County Hall, although so much noise was made about it; that she had often so told Mr. Merryweather; that indeed the girls spoke to deponent first, and he answered, which deponent remembers to be the fact; that the said Barton being asked, how she could, under such circumstances, depose as she had done before the magistrates, she replied, " I am sorry for it, but could not keep it; I was forced to do it; the governor " promised to get me my liberty; I durs't not offend him, and therefore what was I to do?" or words to that effect. That the said Barton was actually released shortly after the last Spring Assizes, in consequence, as deponent believes, of the interest used by the said gaoler with the magistrates, and their interposition with the judge in her favour, according to the statute authorizing them, " if satisfactorily informed of any extraordinary merit in any " prisoner, to report the same to the judges of assize who may recommend such prisoner to " the royal mercy." That since her liberation, the said Barton has lived with the gaoler as his housekeeper. But to return to the meeting of the magistrates. After the depositions were read, deponent asked whether their worships would justify the gaoler in the infliction of punishment upon him, before any decision was pronounced upon the charge, as hereinbefore mentioned; but to this, Mr. Hutton tauntingly observed, " you are not to consider that as the only punishment which awaits you;" thus intimating, as deponent understood him, a threat of corporal punishment. That upon deponent's attempting to explain, and endeavouring

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vouring to defend himself against the charge before mentioned, Mr. Craeroft started indignantly from his seat, and refused to hear him. That Doctor Illingworth also behaved to deponent in a very insulting and ungentlemanlike manner; and deponent seeing that no good could result to him, from any discussion before such a tribunal, withdrew. That deponent understood this meeting to have taken place, in consequence of a communication from the sheriff, to whom the before-mentioned medical certificates were referred. That deponent should be allowed the opportunity for air and exercise recommended by the physicians; but still the sheriff's opinion appeared to have no real influence; and the certificates of the physicians were questioned; deponent being again visited by Doctor Cookson, accompanied by Apothecary Franklyn; that upon their entering the apartment of deponent, he asked them by whom they had been sent, and what was their business, adding the expression of his surprise, that the manner in which he (Doctor Cookson) had been received on a former occasion, did not serve to prevent the repetition of his visit; that Doctor Cookson said, he was appointed by the magistrates, the visiting physician of the prison; and that as such, he was entitled to visit any prisoner's apartment; which statement deponent believed, and still believes to be false, and only used as a pretence for intruding into deponent's apartment, with a view to make a representation for palliating the continuance of the rigorous confinement under which he suffered. That deponent formed his belief of the falsehood of Doctor Cookson's statement, upon this ground, that Apothecary Franklyn holds the only regular medical appointment connected with the prison, which the magistrates can by law constitute; and concluded as to the object of Doctor Cookson's visit, from the questions which deponent understood from his attendant, that the doctor put to him, as to the quantity and quality of deponent's food, and also from other circumstances. That the day after the said meeting and visit, deponent received a note from the gaoler, in his own writing, of which the following is a copy: "Mr. Merryweather re- " ceived last night the magistrate's directions, that Mr. Finnerty (on account of his plea of " ill health,) be allowed for the present, to take air and exercise from one to two o'clock on " each day, on the walk under the west wall only, in the presence of the turnkey, to prevent " any farther improper communication.—Tuesday morning, ten o'clock." That the passages underscored, and which were so marked in the original, shew the acrimonious insolence with which the gaoler was anxious to treat deponent, and even the medical gentlemen whose certificates are before recited; and this insolence was so manifested, at a time when deponent's illness was obvious; but deponent has been assured, and fully believes, that the gaoler exulted in giving him pain, expressing himself, on one occasion, in these terms:—" I have " got the magistrates to nail the scoundrel to the western wall, and William (the turnkey) " shall take a station in his view every day to watch him, while he walks, and that will " gall his pride." Indeed deponent has frequently observed such taunting conduct on the part of the gaoler, as left no doubt of his disposition. That deponent was so rigidly limited to the hour mentioned in the above note, that if it then rained, he would not be allowed to go into the Castle-yard at any other hour of the day; upon one occasion, indeed, about 10 o'clock in the morning, deponent being very ill, sent a request by his attendant, that he might be allowed to take the air for even half an hour, in lieu of the hour fixed from one until two; but deponent received a peremptory denial. That the gaoler never omitted any occasion of taunting him, while the turnkey (Tuxforth) was uniformly insolent, and while he felt satisfied, that any appeal to the humanity or consideration of the magistrates, would be quite unavailing. That at length deponent was goaded by ill-treatment, to have a petition presented to the House of Commons, in June 1811; in consequence of which petition, deponent was allowed to take exercise in the Castle-yard, for three hours each day; and he soon felt the effect of this indulgence, his health improving very much; but the gaoler's disposition towards him remained unchanged. That the gaoler some time afterwards had a petition presented to the House of Commons, in which he accused deponent of irregular conduct, and described the department in which deponent was confined, as the misdemeanor ward; although, as deponent understands, and believes, it had been usually occupied by felons, until deponent's committal to it; and among these felons, were, as deponent is informed, and believes, Thomas Norton, convicted of felony, and who, during his imprisonment, acted as common executioner; Bailey, who was committed for forgery, and who was allowed to take exercise in the Castle-yard for an hour each day, which, by the bye, was as much as the gaoler ever voluntarily granted to deponent; Atkinson, who was executed for forgery; Newton, a parricide, subject to insanity for a considerable time; a felon called Tambourine Jack; Miller, a horse-stealer, who was sentenced to transportation for life; Button, committed for shooting with intent to kill Mr. Tooley of Horncastle: Indeed, deponent understands, that two felons were taken out of it, to make room for him. That in consequence of the denials made in the House of Commons, and elsewhere, to the statements which appeared in the first petition, which circumstances prevented him from having presented, but from which the following is an extract:—"With regard to Mr. Ryder's statement " upon the petitioner's former petition, namely, that he (the secretary) would enquire and " recommend what degree of indulgence could be granted to the petitioner, consistent with " a due provision against the recurrence of his alleged irregularity; the fact is, that had the " prevention of such irregularity been the real object, petitioner would have been promptly " allowed the airy apartment he requested, in front of the Castle, because in his then place of " confinement, he was under the necessity of daily, and often hourly communication with the " very turnkey, with whom he was accused of having tampered; and the ward of the women, " (to one of whom he was accused of desiring to have access,) immediately joined his yard; " whereas, if he were allowed an apartment in front of the Castle, he would not have been under " the necessity of having any communication with the turnkey at all, and he would have been " far

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" far removed from the women; therefore the best provision against the alleged irregularity, " would have been a compliance with the prayer of his petition; as to the cause alleged, to " justify the rigorous treatment of petitioner, the fact is, that petitioner was as ill-treated, and " in some instances, even worse, before the story about the woman was mentioned, than he " has been since. From the first night of his arrival here, he has been confined in the same " apartment, subject to the annoyance of the smell of which he before complained, and " precluded from seeing any person but those whom the gaoler thought proper. At times, " indeed, he has not been allowed to see any person but his physician, the turnkey, and the " person whose attendance he has been obliged to accept, and which, in petitioner's " judgment, amounts to what the law would denominate 'Solitary Imprisonment;' indeed " even now, no person is admitted to petitioner's apartment but those whom the gaoler " pleases, the person who dresses his victuals being still denied admittance. Of all the denials " which have been made to your Honourable House, upon the subject of petitioner's complaints, " the denial of the smell appears to him the most extraordinary, and he apprehends it will so " appear to your Honourable House, when informed of this fact, that even since the " denial was repeatedly urged, an attempt has been made to cure the evil, but this " attempt has proved ineffectual. This smell, which, if it uniformly prevailed, must, from " its noxious nature, have been fatal to petitioner, and generally annoys him in the morn- " ing and evening, after rain, and when the weather is peculiarly warm; thus rendering his " situation worse than that of the felons, because their yards are, as he understands, free from " the smell, of which he has so much reason to complain. As to the motives which have " produced the ill-treatment of petitioner, he can prove, by conclusive evidence, that that " ill-treatment, although attributed to a cause so frivolous, really proceeded from political " prejudice, disappointed avarice, and revenge, excited by some observations, which " common justice and humanity prompted him to make upon the oppression of his un- " fortunate fellow prisoners. The existence of political prejudice, petitioner can prove, " from the declarations of the magistrates themselves to various persons, and also from the " declarations of the gaoler; the resentment of the gaoler, in consequence of petitioner's " observation upon the conduct of the gaol, petitioner can prove, from the gaoler's own " declaration to an eminent merchant of this county: in fact, petitioner can prove, " upon oath, every statement contained in this and his former petition." That soon after the prorogation of Parliament in autumn 1811, a number of debtors having been released under the Insolvency Act, and some apartments becoming vacant in front of the Castle, as deponent understood, he had an application made to the gaoler for the use of one, but he was refused. That about the beginning of the present year, a prisoner of the name of Myers, who has since suffered death upon a conviction of sodomy, having been suspected of criminal intercourse with a young fellow prisoner deponent and others pressed upon the attention of the gaoler, the impropriety of allowing such a person as Myers to remain with other male prisoners, especially with the one whom he was charged with having corrupted; and the gaoler replied, that he had no other suitable place to put him; but on this, deponent asked, " Can't you put the fellow into the place I occupy, and let me have one of the vacant " rooms above stairs?" among which, was that, in consequence of the present sheriff's order, deponent was allowed to occupy some months. That deponent found it quite vain to look for any improved accommodation from the gaoler, who, as deponent has heard and believes, had frequently declared his resolution, accompanied by imprecation, that deponent should never have any other apartment in the prison, than that originally assigned him; and in pursuance of this resolution, in order to " carry his point," as the gaoler has been heard to express himself, a boarded floor was put in the said apartment, about three days before the last assizes, that is, about thirteen months after deponent's committal. That this floor, deponent has reason to believe, was a mere expedient to prevent the present sheriff from granting deponent a better apartment in the front of the Castle. That deponent represented this trick to the sheriff, at the last Spring Assizes, when he was pleased to order deponent a room in the front; that of this room the gaoler frequently endeavoured afterwards, upon various pretences, to deprive deponent, although soon after the appointment of the present sheriff, who is known to be humane, and free from prejudice, the gaoler made very solemn protestations to deponent, that he had no prejudice whatever against him; that the gaoler, notwithstanding such protestations, continued to teaze and inconvenience deponent up to the hour of his liberation, refusing, even within the last fortnight of his imprisonment, to admit persons whom deponent required to see especially upon the subject of the expected enquiry into the abuses of the prison; that such refusal was repeated, although the sheriff had written to deponent, stating that he had ordered the admittance of every person whom deponent desired to see; which letter deponent shewed to the gaoler. That Doctor Caley Illingworth had, as well as the gaoler, protested to depo- nent, in the month of May last, in a very solemn manner, in the presence of several magistrates, that he never meant any thing unkind or uncivil towards deponent, although he had acted as before described; and although, within an hour afterwards, the said doctor enacted a rule, the tendency of which was, to produce the re-committal of deponent to the ward from which he had been relieved by order of the sheriff. That deponent had been fur- ther annoyed, during his confinement in Lincoln Castle, by very obtrusive and offensive visits. That at the close of the Autumn Assizes 1811, several persons, whose names deponent does not at present know, were introduced into deponent's apartment by the gaoler, as the grand jury, although the grand jury had been dismissed some hours before this visit was made, according to the information received by deponent from Sir Robert Heron and Mr. Langton, who were members of the said jury at the said assizes; and two of the said visitors behaved very oppressively towards deponent; that another extraordinary visit was made to deponent

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about the month of October last, by Lords Brownlow and Bridgewater, with Sir Abraham Hume and two others, who were introduced to deponent by the turnkey, as magistrates of the county, although, as deponent has since understood, there was only one magistrate among them; that deponent not knowing his visitors at the time, and conceiving them magistrates, as they were described by the turnkey in their presence, took occasion to represent his case to them, and to solicit redress; but he solicited in vain; and Lord Brownlow behaved to him in a very ungracious manner. That while thus, with the permission of the gaoler, deponent was subjected to intrusion, and exposed to gratify an idle, or rather hostile curiosity, while such persons only paying a friendly visit, as the gaoler thought proper, were admitted, nay, while even the person who dressed his victuals was denied admittance; this person not having been admitted until December last, namely, ten months after deponent's committal, although deponent frequently requested it, particularly in consequence of the robbery committed upon him, with the gaolor's knowledge, by the persons whose attendance he was forced to accept, yet the gaoler was often heard to say, after the liberation of the first attendant, that deponent should never be attended by any other than a felon; that exclusive of what deponent himself has suffered, he has seen and heard of various acts of oppression in Lincoln Castle, towards felons and others; that according to the custom of the gaoler, every prisoner accused of felony is fettered, upon his entrance into the prison, and when the felons are put into their cells in the evening, they are stripped to their shirts, and so left until they are let out in the morning; that whether this practice of confining prisoners in cells, without any fire, or even the shelter of glass windows, from about four o'clock in the evening in the winter, until about eight in the morning, has lately ceased, or is but partially applied, deponent cannot say, but he is certain that it has existed, having, in a cell which looked into the yard in which he was confined, seen two prisoners so stripped, who were accused of felony and acquitted; that deponent is also acquainted with the cases of Dowse and Godfrey, two debtors who died in the prison, in consequence, as he understands and believes, of the neglect or ill-treatment of the gaoler, and the ignorance of the medical attendant; that deponent has heard and believes, that a prisoner confined for misdemeanor, of the name, as he understands, of Cooper, was treated with great harshness, being fettered and confined for a considerable time in a solitary cell, and also various abuses and great cruelty practised by the gaoler in the conveyance of transports from Lincoln to the coast; that the deponent is also acquainted with the enactment of some obnoxious rules in this prison, calculated to gratify the gaoler's love of power, profit, and revenge.

* Copy of the Certificate to the Magistrates.

Being professionally consulted by Mr. Finnerty, I am called upon to state my opinion, that his health, already much impaired, must materially suffer from the confinement to which he is now subjected, and from the alleged coldness of the room; and that a warm room, and every possible advantage of fresh air and exercise, are indispensably necessary, not only for the chance of his recovery, but even for the preservation of his present state of health.

I have the honour to be, &c.

E. P. Charlesworth, M. D.

March 1st, 1811.

25th August, 1812.

Dr. CHARLESWORTH, Examined by Mr. Finnerty.

(H. 1.)

Dr. Charlesworth.

DID you know me before I arrived at Lincoln?——I never saw you, or ever had any knowledge of you, before you came to Lincoln.

When did you visit me, and how did you find me?——I visited you the day after your arrival, and found you evidently ill.

In what situation did you find me?——I found you confined in an apartment on the ground floor (flagged); the bedstead shabby-looking, the door nearly opposite.

Did you make any application to the gaoler on my behalf?——I told the gaoler, I found you ill, and I thought you required air and exercise. He replied, "Shall I, Sir, because "Mr. Finnerty can get a physician to say that air and exercise are necessary for him, therefore "allow it him?" To this, I replied, with some indignation,—"Do you conceive, Sir, that "Mr. Finnerty, or any other man, could get me to say what I didn't think?"

I wrote the certificate produced (which was put in.)

Have you not been obliged to wait a considerable time before you could get out?——Yes; I often have been obliged to rap a considerable time at the turnkey's door before I could get out, before the turnkey answered me.

Do you remember my having sent for you regarding the bath, after I was closely confined?——Yes, I do.

What did you in consequence?——I said, in consequence of the insolent treatment I had experienced from the gaoler, I declined visiting you; but on your urging it, I consented. I told him, your health required the warm bath; and I believe Mr. Merryweather replied, you should have it.

Did Mr. Merryweather state to you, he had denied me the bath before you came?——No.

Was I not, in consequence of your prescription, in the habit of using the warm bath, two or three times a week, since my committal?——Yes.

Do

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Do you recollect having impressed upon the gaoler, some time afterwards, the necessity of allowing more air and exercise for my health?——I do.

Was I not at that time confined to my yard, and prevented going into the Castle yard?——I believe you were.

Did not you apply to the gaoler upon the subject; and what answer did he make?——He referred me to magistrates. I replied, "I make my application to you, Sir."

Did you apply to the magistrates?——I did not; I applied to the gaoler.

Why did you not apply?——It would only have been repeating an application I had made before; and I declined appealing to the visiting magistrates, partly from resentment, because my former application had been refused, and partly because I thought this would be denied.

Did you not, however, write a letter to Mr. Langton, a magistrate, in order to produce a relaxation of my confinement?——I did; and I believe my second testimonial is nearly a counterpart of it. [Second certificate put in.]

What was your reason for calling in a second physician?——To confirm my own testimony.

Do you recollect your certificates were transmitted (admitted).

What time was I afterwards allowed?——I don't strictly recollect how long it was; more time was allowed you.

Do you recollect my having stated to you, I were not allowed to walk out at any other time of the day, except from one to two?——I do.

Do you remember, during my close confinement, I was under the necessity of resorting to you for purgative medicines?——I do.

Do you remember what effect the allowing me to walk had upon my health?——You rapidly encreased, and did not apply for purgative medicines for a long time afterwards.

Do you recollect my description to you of the painful operation of the spasms?——I do.

Do you believe that disorder to have proceeded from indigestion, want of exercise and anxiety of mind conjointly?——I do.

Did not all those causes appear to operate on me when in close confinement?——They did.

Do you not remember my telling you, I was attacked at least once in every forty-eight hours?——I do; and I recommended medicines accordingly.

Did you ever see me yourself under the affliction of that pain?——Only once; when the pain was violently on you.

What was my situation then?——You complained of extreme pain; your countenance strongly expressed the same; I felt, on the region of the heart, very violent palpitations; and your pulse beat so fast, I did not attempt to count it.

(H. 2.)

Dr. Illingworth.—What was your reasons for thinking your application to the visiting magistrates, would not be attended to?——Because, on my first application, an immediate relaxation of confinement did not follow, and because Doctor Cookson was afterwards sent for.

(H. 3.)

Mr. Merryweather.—Was it in the evening of the first day, that the conversation stated took place with me?——The first time I saw Mr. Finnerty.

When was the first time?——To the best of my recollection, in the evening.

Did you tell me who had sent for you?——I did not; I didn't know.

Did you not tell me, in the presence of another person, who was by, that Mrs. Osbaldeston had desired you to call; and did I not in that case give directions for you to see him?——I did not; but I perfectly recollect, your asking me whether my visit was professional or not. I said, it was, and you then immediately replied, I should see him.

Did you not say, Mrs. Osbaldeston had desired you to call?——I did not.

You have stated the bedstead to be shabby.——I did; it appeared so to me.

COMMISSIONERS.—How long have you been in practice, Sir?——Four years and seven months in Lincoln.

[Here Doctor Illingworth put in a statement respecting Mr. Finnerty, approved by the Magistrates, together with seventeen documents referred to.]

(H. 4.)

Mr. Marris.

Mr. MARRIS, Examined by Mr. Finnerty.

DO you recollect the opinion expressed by the gaoler of me, to you, before I came down to the Castle?——I do; I have frequently heard the gaoler say, that doubts were entertained, whether it was this or the city gaol, you were to be sent to; Mr. Merryweather observed, he would be bound for it, it was this gaol, for he believed the judges knew his character; he thought, they would send you here for him to tame. One time he said, he thought he was a proper person to bring down such a dangerous fellow.

Do you know that room denominated the gaoler's drawing room?——I do.

Do you know any persons to have lodged in the gaoler's house before this refusal?——I do; Mr. Lingford, a debtor, lodged and boarded in it, and Mr. Rickett, for a misdemeanor, not serving in the militia, and refusing to pay the penalty.

Do you remember my having told you, I meant to petition the magistrates for a relaxation of my confinement?——I do; I frequently heard the gaoler say, he could get the magistrates to do as he pleased; I believe it to be so; I have frequently experienced it.

Do you remember when I was allowed to take three hours a day, at three separate times, and what the gaoler said when he returned from York?——I recollect the gaoler telling me, that he was dissatisfied, that Mr. Finnerty should have the option of walking as he pleased for

Appx. (H. 4.) *Mr. Marris.*

for that time; that he would get the magistrates to make him take his three hours in succession; that he would give a reason to the magistrates, that he could not spare his turnkey to watch the fellow, except from ten till two.

Do you remember, after the orders of the magistrates to take my exercise three hours in succession, my remonstrating with the gaoler against such order?——I do.

What did the gaoler say?——He said, the friends of Mr. Finnerty did him more harm than good.

At the time I was permitted to go abroad for certain hours in the day, did you hear the turnkey asked by the gaoler, whether Finnerty was gone in?——I have.

What did the turnkey say?——"I have just wagged the fellow in."

What did the gaoler say?——"Ah! always take care to wagg the scoundrel in to his "minutes, that will mortify the fellow's pride."

Do you remember, upon refusal of some friends of mine seeing me, particularly Mr. Ray, my remonstrating with him?——I do.

Do you remember what he said?—Yes; I recollect his saying, he woudn't permit people seeing you, lest they should contrive your escape.

Do you recollect the gaoler telling Dr. Illingworth, he had refused admittance to Mr. Ray?—I do.

What did Dr. Illingworth say?——He replied, that the gaoler might set them all at defiance; they were determined all to support him; he need'nt mind what any body said or did.

Do you remember how often the gaoler called me a jacobinical scoundrel?——Many times.

Do you remember my ever having any personal altercation with the gaoler, or offered him any personal offence?——No, never.

Did you ever hear Mr. Merryweather say, that Mr. Finnerty was a gentlemanly man?——I have heard him say, he was a man of very gentlemanly manners.

Did Mr. Merryweather ever tell you what the magistrates said respecting me?——Yes; he repeatedly told me, the magistrates said, "There's no occasion to tell Mr. Merryweather what "to do; they knew he would keep you tight enough."

Do you remember Mr. Merryweather having come into my apartment with the gaoler, when he asked me, whether I had wrote a certain article in the Statesman?——Yes, I do; you answered, you did not.

Did I not express myself contented with the allowance of three hours in the day, one in the morning, one in the middle of the day, and one in the evening?——You did.

Do you remember at the time I was so limited, felons were allowed to work in the garden for his profit throughout the day?——I do.

Did you advise him to relax his rigour towards me before the story about the women?——I did.

Was your advice availing?——No.

After I had been locked into my own ward, in consequence of the charge about the women, did I send for Mr. Merryweather to come to me, and what did he say?——He said, he was determined not to go near the scoundrel; "I have him now, and I'll do him."

When I sent a message to go to the bath, what did he say?——He told me, you should not bathe in the large bath, but might in the small one; he would not bathe after your damn'd greasy carcase.

Do you remember the day he sent down to me, to deliver a message from Mr. Cracroft the magistrate; and what did he say to you?——"You may go and let the scoundrel know, that Mr. Cracroft has received his letter, but he should take no notice of it."

Do you remember what Mr. Merryweather said to you upon one occasion, when you observed to him, I looked very ill?——He said, "Damn him, he's well enough, it's good enough for him."

Did you not say it was his duty, as I was sick, to visit me, and look into my situation?——I did; he has never looked into the situation of sick prisoners since I have been here, to my knowledge.

Do you remember, in presence of my attendant Goodin, speaking respecting the smell?——I recollect Goodin saying, there was a damn'd stink in it, and Finnerty was ill-used.

Do you recollect an appeal made to Mr. Merryweather, by Mr. Challis Sheath, to relax the rigour of my treatment?——I do.

What was Mr. Merryweather's expression?——He told Mr. Sheath, you was a scoundrel, and had been meddling with his prisoners, and he would make you remember it.

Do you recollect Mr. Merryweather complaining with my meddling in the case of Dowse, and promoting a petition from the debtors to the judge?——I do; he abused you in consequence of it.

When I was attended by Goodin, do you remember what Mr. Merryweather said, if I got rid of him?——Yes; he said, if you didn't accept Goodin, you should have no one else but Old Robin, a felon.

Do you remember, at the time the gaoler sent me a note (N° 2.) to walk only under the west wall, the gaoler's observation?——Yes; "Damn the fellow, I have got the magistrates "to nail him to the western wall; the turnkey should watch him, and that would mortify his "pride."

Do you remember any application on my part, to walk out half an hour in the morning, instead of one till two?—I do.

What did the gaoler say?——He was determined you should walk out no other time than that granted; if it rain'd then, you should go at no other time.

What

Appx. (H. 4.)

Mr. Marris.

What observations did the gaoler make, when I was getting better?——He said, "the "fellow's getting better, but it's too good for him."

How do you recollect the ward assigned to me, being occupied before I got there?——By several felons, and the common hangman, who officiated also as clerk in the chapel.

Where was I allowed to walk, when permitted, from One till Two?——On the grass at the back of the County Hall.

Was I not refused the flags in front of the debtor's court?——Yes, you were.

On Myers's charge, do you recollect my proposing, that Myers should have my apartment, and I should go up stairs to his?——I recollect it perfectly.

Do you recollect the time that charge was made?——I don't.

Was, or was not that room then vacant, which was afterwards ordered me by the sheriff?——It was.

Did you ever hear the gaoler make any declaration as to my getting a room up stairs?——I repeatedly heard him say, you should never have any room but No. 6, where you were confined.

Do you recollect the boarded floor being put into my room a few days before March Assizes?——Yes, about eight days before.

Did you ever hear the magistrates make any declaration respecting me?——Yes; Mr. Hutton, Dr. Illingworth, and Mr. Nelson, said that you was a violent, turbulent, troublesome fellow, a jacobinical fellow.

Do you recollect any particular expression?——No; I can't call to my recollection any.

Do you remember Mr. Bedford being refused admittance, and what observations were made?——Yes, the gaoler said, no person should go near the fellow.

Do you remember an order, sent by the present sheriff, that I might have the same indulgence as yourself?——Yes.

[Letter read.]—Extract:

"Girsby House, 23d March 1812.

"I have this day written to Mr. Robinson, to inform the gaoler, that I shall expect you "to remain in the room I ordered, till there are so many female debtors as to render your "removal reasonable; and that in case Mr. Marris should be released, I am willing that you "should have his rooms. My orders about walking in the Castle-yard, were, that yourself, "Mr. Drakard, and Mr. Marris, should have that liberty, so long as it continued sufficiently "light to be distinguished.

(Signed) "*Geo. Lister.*"

Do you recollect the manner in which the gaoler interpreted that letter?——Perfectly.

Had you not, since your committal, been allowed to walk in the Castle-yard, after other prisoners were locked in, until nine or ten o'clock?——I have.

Did, or did not the gaoler insist, that the meaning of the order was, not to extend my indulgences, but to reduce yours?——It was; the gaoler boasted of it.

Do you remember the first night after that order was received from the sheriff, the turnkey came to order us in at the usual hour with the other prisoners?——I do; Mr. Finnerty told him, he had an order from the sheriff for the same privilege that Mr. Marris had.

Did the gaoler insist on his demand?——No; he did not compel them to go in.

Do you remember a letter received by me from the sheriff?——I do.

[Letter read.]

"Grisby House, 25th July 1812.

"By this post I have desired Mr. Robinson to order Mr. Merryweather to permit the "admission to you of every person you may wish to see.

(Signed) "*Geo. Lister.*"

Do you remember, subsequent to this letter, the gaoler refusing admission of persons to me?——I do.

Do you remember the refusal of persons within eight or ten days of my being released? (liberated 6th August.)——I do.

Did you ever hear the gaoler say to any gentleman, there was no smell in my yard?——I have.

To whom?——He told me there was none; he said, the debtors necessary had no communication with your yard.

Do you recollect at the time of the denials in the House of Commons, that the grate was taken up, and a stone placed over the hole to prevent the smell?——I do.

Do you recollect, since my removal from that yard, to have seen the necessary opened?——It was opened and cleansed.

Where was the opening?——In your yard, No. 6.

Have you any reason to know there was any communication between that necessary and the sewer in my yard?——Yes; I took a pail of water, poured it down, and believe I heard it run into the necessary vault; I did it to try, because it was denied by the gaoler, in the House of Commons; in fact he must know that it had. I don't mean to say, I heard it run into the necessary that was opened, but it might be into the other.

[*Cross-Examined by Mr. Nelson.*]

Did we say, separately, or collectively, that Mr. Finnerty was a turbulent, troublesome, jacobinical fellow?——Both separately and collectively.

To whom did I say it?——To the gaoler and myself.

[Dr. Fawssett's Report put in, No. 13.]

Has been in practice fourteen years.

Appx. (H. 5.)

CHALLIS SHEATH, of Boston, Gentleman; Examined.

Challis Sheath.

Do you recollect the time I was closely confined, you visited me in this Castle?——I do.

Do you recollect visiting me, when I was not permitted to go into the yard?——I never understood there was a total exclusion.

Do you remember my having recommended you to appeal to the gaoler for some relaxation of his rigour?——Yes, I do.

What did the gaoler say?——I can't recollect literally the expressions, but the substance was, that Mr. Finnerty had improperly interfered with his prisoners. He made use of very harsh epithets towards Mr. Finnerty, very abusive language, but I don't recollect them; that he needn't expect indulgence from him.

Referring to the latter part of your allegations, he observed, he had Mr. Finnerty in his power, and would do for him. Witness found Mr. Finnerty ill when he called.

[*Cross-Examined by Mr. Merryweather.*]

Where was it you spoke to me upon this business?——I think, near your hot-house.

Did not Mr. Marris justify my conduct several times?——Mr. Marris was present, but I don't recollect his observations respecting Mr. Finnerty's conduct. Mr. Marris did say something to me, but I have no particular recollection of it; Mr. Marris had some conversation, but it was not very long; perhaps he might have said so.

Did not Mr. Marris justify my conduct, upon more occasions than one, to you?——I don't recollect.

Have you not been frequently to see Mr. Finnerty?——I have been perhaps four times, or perhaps more.

(H. 6.)

Mr. WILLIAM WIDDOWSON, Rein Deer Inn, Lincoln; Examined.

Do you remember having visited me in my apartment in the gaol, soon after my arrival?——Yes, two or three times after; about five in the evening.

Did, or did not the turnkey come, and desire you to be gone?——Yes; about six in the evening, he came and told me, I must go away directly, and he waited in the room till I went away.

Were you, at any subsequent time, refused admittance to see me?——I don't know that I ever asked to see you directly. Mr. Merryweather admitted, he gave directions that no persons were to be admitted, but those who wanted to see him on proper business; and that no improper persons were to be admitted without his knowledge.

(H 7.)

Mr. BEDFORD, Taylor and Draper, Lincoln; Examined.

Did you apply to the gaoler to see me?——I did.

What did he say?——He said, he could not admit of my going down to your cell; that Mr. Finnerty was sent here for punishment or imprisonment, and that I was not to be admitted.

When you called with a note from me, where did you go?——I went to the iron gate, and the turnkey refused admission. I had paid some money on your account, and wanted to see you; he accompanied me to the cell, and told me, I might be admitted in the presence of the turnkey; the turnkey remained in the apartment during the conversation with me, ten minutes, or thereabouts; at that time Mr. Finnerty was closely confined; he looked exceedingly ill.

[*Cross-Examined by Mr. Merryweather.*]

Did I see you the first time you came to see Mr. Finnerty?——I don't recollect.

Do you recollect the first time you did come, without stating you had any business whatever with him, you pressed or brushed past the turnkey without asking?——I did not.

[Order not to admit, put in.—*Vide* Order.]

Were you not admitted, when you stated you had business?——I was admitted once, and refused once when I had business.

Have you not ever since been in the habit of coming and remaining as long as you pleased in the Castle, for dinner, or any other purpose, whenever you thought proper?——Yes.

[*Examined by Mr. Finnerty.*]

Were not those admissions to Mr. Drakard, Mr. Marriss, and myself?——Both to Mr. Drakard, Mr. Marris, and Mr. Finnerty.

Were not those admissions subsequent to my petition and the sheriff's order?——Yes.

(H. 8.)

Mr. DRAKARD, a Prisoner for a Misdemeanor; Examined.

Do you recollect the period of your arrival at the Castle?——The 1st June 1811.

Do you recollect, on your committal, you were confined to the same yard with me?——Yes.

Were you annoyed by the smell in the yard?——Yes; so much so, as to be obliged to leave the yard.

How were you able to relieve yourself from that smell?——By going into my own room up stairs.

Was

Appx. (H. 8.) *Mr. Drakard.*

Was I, or not, precluded from relieving myself in the same manner?——Yes, from my room.

Being precluded from going into the Castle-yard for more than one hour a day, had I any other mode of relieving myself?——None.

Were you not allowed a bell?——Yes.

Did I not apply for a bell?——I don't know.

How long was it necessary for me to rap at my door for the turnkey to come?——Sometimes twenty minutes or half an hour.

When the Insolvency Act passed, and liberated so many debtors in the autumn of 1811; did I, or not, apply to you to make a proposition to the gaoler, to request one of the rooms which I conceived to be vacant, authorizing you to offer £. 30 a year?——You did; the sum I don't recollect; I know I did apply, and the gaoler refused.

Were you present in the County Hall, when I had a conversation with Mr. Merryweather respecting Myers; and what did I propose?——That Myers should have your room, and that you should have one of the female apartments vacant up stairs.

[Mr. Merryweather here admitted, there were several apartments vacant, he believes, at that time, among the debtors.]

Did you see the boarded floor put down in my apartment, a short time before last Lent Assizes?——Yes, about three days before, certainly not six days.

Were you present, when I shewed the gaoler the sheriff's order, dated 25th July 1812?——I was.

Do you know, persons were refused admittance to me?——Yes, a few days before your liberation.

Did the sheriff give a former order dated the 23d March 1812?——Yes.

What was done in consequence of that order?——We were allowed to go at large, until sufficiently light to be distinguished.

Were we not, in consequence of this order, allowed to walk out an hour and an half, or two hours, after the other prisoners were locked in?——Yes, an hour and a half.

Are not the prisoners locked up generally an hour and a half before it is absolutely dark?——Yes, a full hour, sometimes, before it was dark.

Were not prisoners locked in last summer, when it was as clearly light as noon-day?——Yes, as fully as it is now.

Dr. Illingworth.—Soon after you came to this prison, did you not request of the magistrates, as a particular favour, that you might not be in the same apartments with Mr. Finnerty, as he was a man you did not wish to associate with?——Not to the magistrates, but to the gaoler.

When we granted this request, did you not express yourself to the magistrates, very grateful on that account?——I never did to the magistrates, but to the gaoler. I found report, respecting Mr. Finnerty, like the gaoler, a common liar.

How long afterwards was it, that you became the associate of Mr. Finnerty?——From my first coming in, I was put to him, and compelled to go in.

[*Cross-Examined by Mr. Merryweather.*]

When you applied to me for a room on behalf of Mr. Finnerty, did I not state to you, that I was not authorized to put him on the Civil side of the prison?——You answered, you would not give it, because he had uniformly behaved to you not like a gentleman.

What time was the order given by me for the boarded floor?——I don't know; I know the boards were preparing in the County Hall, some weeks before they were laid down.

26th August, 1812.

JOHN MARSHALL, aged 18 years, Clock-maker of Lincoln, an Apprentice. (H 9.)

Mr. Finnerty.—Did you attend me for a considerable time after my arrival at the Castle?——I did, Sir, to bring and take letters.

What was the latest hour in the evening you generally left my apartment?——At 9 o'clock.

What was the conduct of the turnkey and Goodwin at my apartment?——Taking the ale, meat, and wine away.

Was there not a partition in the room, to prevent my observing their conduct?——Yes; and the things laid behind the partition.

What observation did I make?——You said, it would be no use applying, for there would be no justice done.

What was the observation of William Tuxford, when you neglected to bring ale at the desire of Goodwin?——Tuxford told me, I should come no more, if I didn't do what Goodwin bid me; he was master there.

Do you recollect ever having seen me make use of the ale?——No; I never saw you drink any of the ale.

Did I, or did I not, desire you to comply with Goodwin's directions?——Yes, you did.

Was not the turnkey still insolent?——Yes, Sir.

Did you ever hear the turnkey and Goodwin boast at living at my expense?——Yes; once Goodwin said to a friend, he was never better off in his life, for William and he were enjoying every evening, plenty of ale, wine, and meat of Mr. Finnerty's.

What did you ever hear Mr. Tuxford say?——When any body ever came to see Mr. Finnerty, he said, he would not be humbug'd.

Did

Appx. (H. 9.)

John Marshall.

Did you ever hear him abuse me?——No.

Were you ever annoyed by the smell in my yard?——Yes, very often.

Did you ever tell William of it?——I did; he said, there was a good nosegay for Mr. Finnerty; I was one evening there at 9 o'clock, when Mr. Finnerty and Mr. Drakard were walking in the yard, and they were obliged to go in twice, the yard smelt so very bad.

(H. 10.)

Joseph Grono.

JOSEPH GRONO, Boston, Hosier.

Were you refused admittance to me within a few days of my liberation?——I was.

Mr. Merryweather.—Was you afterwards admitted?——I was, by Mr. Merryweather's orders, the next day when I applied.

Mr. Finnerty.—Do you remember the day you were refused admittance; did I not remonstrate with the turnkey, and he still refused?——Yes, I do.

My father was a debtor, and I was excluded, for the same reason as the wives and families of debtors were.

(H. 11.)

Thomas Houlden.

THOMAS HOULDEN, Spilsby, formerly Maltster.

Mr. Finnerty.—Have you ever heard William Tuxford, the turnkey, say any thing respecting me?——Yes, very often; I have seen him wagg Mr. Finnerty in, "I'll fetch the damn'd scoundrel in."

Do you remember my having made an application to the gaoler, to walk out half an hour?——Yes; it was a rainy day, and Mr. Finnerty could not get out. I heard William Tuxford say, Mr. Finnerty wished the gaoler would give him leave for half an hour (the day before having been rainy); the gaoler's answer was, "No, damn him, I won't let him."

Did you see any felons in my apartment, before my committal?——Yes.

Have you any reason to believe two men, felons, Collins's, were removed to make room for me?——Yes.

(H. 12.)

William Dale.

WILLIAM DALE, a Debtor.

Have you, or not, been often in my yard?——Yes.

Have you been often annoyed with the smell in it?——Yes, I have.

(H. 13.)

John Mason.

JOHN MASON, a Debtor.

Have you ever been annoyed by the smell in my yard?——Yes, I have; Johnson, the present turnkey has complained of it.

(H. 14.)

John Hindley.

JOHN HINDLEY, a Debtor.

Have you seen at any time, when the stone has been off the sewer, in the centre in my yard, a light from the debtors necessary?——I have; when the stone has been on, I have not seen it.

Have you ever been annoyed by a smell in the prison?——Yes; the wind, I thought, occasioned a nauseous smell.

(H. 15.)

Woodhead.

WOODHEAD, late a Debtor.

Mr. Finnerty.—Did you see any felons in my yard, before my committal?——I saw two felons there.

Mr. Merryweather.—How long were they in that yard?——I can't tell; I don't know that they were both together there at the same time.

(H. 16.)

Mrs. Peacock.

Mrs. PEACOCK, (Husband a Shoemaker.)

In the course of your attendance on me, after my arrival at the Castle, were you annoyed by the smell in my yard?——Yes, I was.

Did you ever here William or Goodwin, say any thing respecting taking my wine?——Yes; if you ever began a bottle, *he* would see the end of it.

Mr. Merryweather.—Was you my caterer?——I was.

If the colleys, (the felons) had been placed in the yard, must not you have seen them?——I can't recollect.

(H. 17.)

Catherine Preston.

CATHERINE PRESTON, Examined by Mr. Finnerty.

When did you become my attendant?——In April 1811.

At what time were you permitted to bring victuals into my appartment?——In December.

Were you not excluded, by order of the gaoler, in the intermediate period?——Yes, I was.

Was my general health improved, when I had the room up stairs?——Yes; you eat your victuals more heartily.

Did you ever see me intemperate in drink?——I never did; when persons have been with you, you have left the room to let them enjoy themselves.

Did you ever hear a message delivered by Tuxford to Mr. Merryweather, that I wished to walk out for half an hour, in lieu of the hour from one to two?——Yes; the answer was, no; he would have no damned alteration; you must walk the usual hour, or not at all.

(H. 18.)

Captain Hare.

CAPTAIN HARE, (Army.)

Do you know Mr. Cracroft, one of the visiting magistrates of the prison?——Yes.

What

What observation did Mr. Cracroft make to you, respecting persons who visited me?—The purport of it was, that any person who associated with you, were as bad as yourself. I sometimes called on Mr. Finnerty.

Appx. (H. 19.)

BEDFORD RUSSELL, Coal-porter.

Bedford Russell.

I have been annoyed by the smell in Mr. Finnerty's yard.

(H. 20.)

Mrs. OSBALDESTON.

Mrs. Osbaldeston.

Mr. Finnerty.—Have you ever seen me before this day?—No, never.

Did you visit the prison before my arrival?—Yes, the day before your arrival.

Did you see the room in which I was confined?—Yes, I went into it, and two ladies with me.

Did you see any person in that room?—Yes, one person in the room, and the turnkey who accompanied me. The man was occupied in painting a very old worm-eaten bedstead, with ochre; I asked when they expected the prisoner; the answer was, "perhaps to night." I said, "Is it possible to put any human being in a place in this situation?" the answer was made by a voice behind the door, "It is good enough for the scoundrel who is coming." I then asked, if there was any thing more to be put in; the reply was, by the same voice behind the door, "No, not till he is in it himself." I went into the yard, and made an observation, that it was very offensive; I asked turnkey the reason of it; he said, it didn't happen but very seldom, he believed. I observed, there was a plug taken up in the yard, from which the smell appeared to me to come; he said, it was taken up to let the water down; and that once in the day it smelt, when the sewer in another part of the prison was let down. The apartment appeared to me, to be wretchedly uncomfortable, and extremely damp; so much so, that the ladies who were with me, desired me to withdraw, because as I had been unwell, the damp might be pernicious; the bed was placed near the door; the door did not reach the sill, by about two or three inches; I returned to the door of the room, and the person behind came out; I asked who he was; they told me he was Mr. Merryweather's father; I then left the gaol.

Did you, in consequence of a representation to you, of the state of my health and situation, and a request to you to interfere in my favour with the magistracy, to procure me better accommodation, apply to any, and to whom?—I did, in consequence of Mr. Mason's application from Mr. Finnerty. I applied to Dr. Caley Illingworth, by a message, and he did me the honor to call. I told him of the application, and that I should feel exceedingly obliged to him, to afford Mr. Finnerty any alleviation in his power, as to accommodation and comfort, for I was sure the place he was in was highly improper. After some conversation, Dr. Illingworth replied, "Mr. Finnerty is a dangerous fellow, and should be well looked after." I again repeated, it would be an obligation to me, if he could afford him any relief; Mr. Nelson, who was present, returned for answer, he would see and enquire into it. The gentlemen then withdrew.

What was the impression upon your mind?—It was, that Dr. Illingworth was decidedly prejudiced, politically, against you.

Did you call upon Mr. Cracroft, another of the magistrates, in the hope of interesting him in my favour?—Yes, on the Wednesday after your arrival. After Mr. Cracroft had talked with me some time, he said, "We are to have a very full bench on Friday;" I replied, "I hope it will be a very merciful one. A petition is to be presented, which I hope they will attend to; I shall take it as an obligation." Mr. Cracroft said, "I suppose you mean that fellow Finnerty's petition; he shall have strict justice, but no mercy." I pressed him very earnestly, and Dr. Illingworth observed, that he should have as much mercy as the law allowed, and no more. I answered, you might think it dangerous not to give him as much; Mr. Cracroft became extremely warm, I don't know for what reason; and said, he wished he could hang that scoundrel, and you (meaning me,) and that rascally villain Sir Francis Burdett, and all his party. I told him, he need not wish to hang me, for I was not acquainted with Sir Francis Burdett.

Did you repeat your application to Dr. Illingworth?—I did, frequently.

Did you urge the necessity of his giving me more air and exercise?—I did.

What passed?—I represented, I believed it was necessary for your health and mind; he said, you had as much as the magistrates allowed, and he thought it enough. The last time I saw the doctor, was on the lawn at my own house. I understood that Mr. Sykes and several gentlemen had been refused going in to Mr. Finnerty; I asked Dr. Illingworth, if nobody was to be admitted; he answered, "Not without an order;" or, I believe he said, "by the gaoler's consent." I then adverted to his being allowed to walk in the area of the prison. He told me he had air sufficient; he would not have been allowed to have walked for the two hours which had been allowed him, and which were then taken away, but for the gross misrepresentations and falsehood, in regard to his health, on his first arrival. I asked who he alluded to, as having made those false representations, if he meant Dr. Charlesworth; he said, "No, I do not." I said, "Who do you mean?" he said, "You, ma'am; you told me he would die in a week." I told him, "I could never have said that, for I had never seen him;" he said, "You did tell me so."

Did you, in consequence, address a letter to Dr. Illingworth?—I did. [Letter put in, and read.]

[Dr. Illingworth's answer put in, and read.]

Mr. Finnerty.—Had you any conversation with the gaoler respecting me, and did he make any observation?—The first time I saw him, the observation was, his friends

Appx. (H. 20.) *Mrs. Osbaldeston.*

had better not exert themselves too much, as he had it in his power to indulge him, or not, as he thought proper; I named to Mr. Merryweather, that Mr. Finnerty's letters coming out of the Castle, I heard had been stopt, and he said, he had a right to open them, if he thought proper.

Did you ever say to Mr. Merryweather, you had sent me a physician?—No, I never did; I told him I did not send Dr. Charlesworth; but if I had been asked, that I should.

(H. 21.)

Dr. Illingworth to *Mrs. Osbaldeston.*—Did you not apply to me and Mr. Nelson on Monday, to let Mr. Finnerty have better apartments, as you understood he was so ill, it might endanger his life, if he was kept in the cell and yard allotted him?—I told you I had seen the cell; I understood he was very ill; of course that it must be a very unfit place for him.

Did not Mr. Nelson and I decline interfering till the Friday, when there would be a meeting of the magistrates, and Mr. Finnerty's situation would then be enquired into?—You certainly told me, there would be a meeting on the Friday, but for what I don't recollect.

Did you not then say, from what you had heard, it was possible Mr. Finnerty might not live till Friday, if kept in his present apartments?—I did not; I said, any man might die before Friday; and I understood he was in it.

Did not Mr. Nelson and I say, we would go immediately to visit Mr. Finnerty, and see how he was, and what sort of apartments he was placed in?—Both the gentlemen were very polite, and said, they would enquire.

(H. 22.) *W. H. Robinson.*

W. H. ROBINSON, Under-Sheriff.

Do you recollect, in the course of the year 1811, when I was closely confined, and that you, in consequence of letters from the sheriff, interfered and enquired about my situation, any magistrate of the county deprecating your interposition, and on what terms?—I don't recollect the magistrates made any objection at that time, on the contrary, I put in a letter, which was attended to.

[Letter produced, and read.]

I wrote that letter by order of the sheriff, and in consequence of an application from Mr. Ryder to him, of which the following is an extract, dated Whitehall, 24th June 1811. After stating Mr. Finnerty's petition, and desiring the sheriff to give him information on the subject (Sir John Trollope) he adds, "I am persuaded, it is unnecessary "for me to recommend to you, to give the necessary directions, that grievances of this or of "any other description, if they are found to exist in any degree, should be immediately "redressed; and that the prayer of the petition should be complied with, in whatever manner "may appear to you most conducive to the health of the prisoner, and at the same time "consistent with the rules and discipline of the prison.

(Signed) "*R. Ryder.*"

In the first instance, Dr. Illingworth conceived the sheriffs had nothing to do with the Crown prisoners, and desired me not to interfere.

[Letter from Under-Sheriff, dated 4th March 1811, put in, and read.]

Was it in consequence of that letter you wrote?—The first message was from Mr. Merryweather's father, saying, he believed the sheriff had nothing to do with the Crown prisoners; the next message was, that Dr. Illingworth had said so; that is the only instance I know, of the magistrates objecting to the sheriff's acting, if he thought fit.

Do you remember any expressions used by Dr. Illingworth, respecting the sheriff's interposition?—I recollect, when I offered to attend the magistrates, to enquire into the nature of the petition from the debtors, Dr. Illingworth said, they would not act with deputies.

Observation by Mr. Cracroft, on the Castle-hill, at the time of a petition being sent to High Sheriff by Mr. Finnerty, when closely confined.

The Sheriff declined giving an order for any further time for Mr. Finnerty, but directed me to state his opinion to the magistrates: in stating it personally to Mr. Cracroft, and the other magistrates, Mr. Cracroft observed, "I knew the sheriff would not make any order on the subject, for he is as loyal a man as any in the country."

[Letter put in from the Under-Sheriff, dated 5th May 1811, to the visiting magistrates.]

Are you in possession of any letter addressed by Mr. Ryder to Sir John Trollope, in consequence of my petition to the Regent?—No, I am not.

I don't see it would be of any use to Mr. Finnerty, were I to produce the letters; I consider it would be an abuse of private confidence.

The order was by the present sheriff, George Lister, Esquire, given to the gaoler verbally in my presence, that Mr. Finnerty should have the same indulgence of walking as Mr. Marris; the gaoler observed, Mr. Marris walked longer than the other debtors; on which, the Sheriff said, he saw no reason why Mr. Marris should have greater indulgencies than the rest of the prisoners. It strikes me, the sheriff said, they might stay out as long as they could well be seen; I have seen Mr. Finnerty and Mr. Marris out when very dark.

I have

I have heard that Mr. Marris had those indulgences, but don't know it.

Appx. (H. 22.)
W. H. Robinson.

[A Letter, dated Girsby House, August 1st, 1812, produced and read, from Sheriff to Under-Sheriff, of which the following is an Extract:]

"I yesterday received your letter, inclosing a copy of the rules approved by the judges, "which must be attended to, and the regulations submitted to by the prisoners; I "observe it is mentioned, that the gaoler may refuse admittance to such persons, not "having business, as he may think ought not to be admitted, *unless* they bring an "order from the sheriff, or a visiting magistrate; in my opinion, if Mr. Finnerty stands "forward as the accuser of Mr. Merryweather, (which I suppose is the case) there "ought to be free admission to him of such persons as he may wish to produce, as "witnesses in support of the accusations.

(Signed) "*George Lister.*"

No person desiring to be admitted after that time, was, to my knowledge, refused. I believe there were some refused, previous to 27th July last: I received the high sheriff's letter on Monday, 27th July last (dated 25th July); I had been told frequently by Mr. Lister, the sheriff, that it never was his intention to interfere concerning any rules made by the justices in session, and approved by the judges of assize. On Sunday, 24th July, Mr. Merryweather called on me, and shewed me the regulations signed by the judges; on the receipt therefore of the sheriff's letter the next morning, I thought it improper to deliver his order, written without a knowledge of those rules; I therefore detained the letter till night, when I heard there had been a dispute in the Castle, in consequence of Mr. Merryweather having doubted the authority of the letter to him from the sheriff; I went and shewed Mr. Merryweather the letter, and told him, he must exercise his own discretion; I recommended to him, to let any body see Mr. Finnerty for a few days, that I would write to Mr. Lister, and that I was sure he would not wish to give any order contrary to the regulations.

Do you recollect the day on which you gave Mr. Merryweather this recommendation?—Yes, on the Monday night, I think.

Did you, in the interim between that day and my liberation, receive an application from Mr. Murdock or Mrs. Evison, to be admitted to see me in the Castle?—I do not recollect to have had any application made to me from 27 July, to the time of my receiving the sheriff's letter allowing the rules, saying, they were to be obeyed. I think there was no application from any person, saying they wanted to see you on business; I am sure of it. To the best of my recollection, I heard Mary Evison called, but I was absent from home.

Did you, in the course of the discussion in the House of Commons on my petition, state, that if a room in the front of the prison was ordered for me, you would advise the gaoler not to allow it?—I never said that I should advise the gaoler not to allow it; but I have said, that I should advise the sheriff not to allow it. The reason was, I considered the security given by the gaoler, inadequate to the risk of having prisoners there. The debts were £. 16,000; surety only £. 4,000. That observation only applied to the gaoler's house.

[*Cross-Examined by Mr. Merryweather.*] (H. 23.)

Did you receive a note from Mr. Finnerty, complaining of the privy?—I did.

[Note produced.——Thursday.——Signed, "Peter Finnerty."]

I went on the 5th, declined examining it, and went again on the 6th. I told the man who was there, to go down into the vault; I desired him to beat the brick with a hammer on the side next the sink where Mr. Finnerty thought the communication was. It appeared to be perfectly walled up, and no drain from it, and it was impossible there could be any communication; I then measured the depth of the vault, and of the sink; I found the vault to be seven feet from the surface; and the bottom of the sink only fourteen inches from the surface; the covering of the vault fourteen inches thick; but the fall from the wall to the sink, was also fourteen inches. *Presuming* the bottom of the sink to have as great a fall as the upper ground, the bottom of the sink would be on a level with the bottom covering upon the top of the vault. There was first a stone slab laid over the aperture, three inches thick; then earth eight inches, and slab three inches; making in the whole fourteen inches. There had been a cover laid in mortar. The opening of the vault into Mr. Finnerty's yard, extended about three feet by two; but when the arch was made perfect on the side where it was broken, the opening would be two feet one by two feet.

It is impossible the necessary can drain into the sink in Mr. Finnerty's yard. The distance from the end or corner of Mr. Finnerty's room to the vault, is eight feet; and there appears four feet from the door to the corner; as also appears by the Plan produced.

THOMAS MURDOCK, a Ropemaker, late Debtor; called to complain of ill-usage by the Gaoler:——Examined by Mr. Finnerty. (H. 24.)
Thomas Murdock.

Did I not take a statement of complaints, of considerable length?—Yes.

Did I send to you, a few days before my liberation, to consult with you upon that statement?—Yes.

Did you apply for admittance at the gaol in consequence?—I did, to Mr. Merryweather, and afterwards to the turnkey; who said, his masters orders were not to let me in, upon any account; this was about ten days before your liberation; I told the turnkey, Mr. Finnerty had sent for me, but I did not tell Mr. Merryweather; when I met Mr. Merryweather, I said, Mr. Finnerty wanted me.

(H. 25.)
Mary Evison.

Mary Evison.—I stated considerable complaints to Mr. Finnerty, against the gaoler.

Were

Appx. (H. 25.) *Mary Evison.*

Were you refused admittance to me?—Yes, often.

What passed?—The turnkey said, his orders were, not to let me in. I did not see Mr. Merryweather.

Did you attempt to obtain admittance a day or two before my liberation?—Yes, on the day of your liberation.

(H. 26.) ROBERT LINGS, Clerk to Mr. Robinson, Under-Sheriff.

Robert Lings.

Were you applied to, in the summer of 1811, to call upon me?—Yes, I was.

Did you come to the Castle in consequence?—I did. I came through outer gates into yard, and asked turnkey to see Mr. Finnerty; he directed me to the gaoler; on my application to the gaoler, he said, "pray, Sir, what is your business?" I told him I didn't know; I was permitted to see Mr. Finnerty, and received his instructions to copy his petition to the House of Commons; gaoler asked me, if I were not wanted to copy something for the fellow. Having copied it I came again, and was denied admission. I have repeatedly called on gaoler to permit me to go down; and frequently abused by the turnkey very grossly. Mr. Finnerty desired me to get him another clerk, when he found I was clerk to the under-sheriff.

Mr. Merryweather.—How frequent have your visits been, since June 1811, to the present time, in the Castle?—Very frequent; daily, for probably a week together; and I remained sometimes till ten o'clock, at the time Mr. Finnerty had business to do on this Commission.

(H. 27.) JOHN JOHNSON, Debtor, and Turnkey; by trade a Mason.

John Johnson.

I was employed some months ago to search the necessary in your yard; there appeared no connection with the sink. I never declared to any person there was.

[The Complainant here closed his Evidence.]

The Commissioners then enquired of the Magistrates, whether they proposed to call any witnesses.

(H. 28.) *Dr. Illingworth* to *Dr. Cookson.*—Was you requested by the visiting magistrates, to inspect the room in which Mr. Finnerty was confined?—Yes, I was.

[Copy Order put in, No. 3.]

Did I not receive your report, in consequence of that Order?—You did.

[Report put in, and read, No. 4.]

Dr. Cookson.—I put that report into your hands on the Sunday morning.

Dr. Illingworth.—What was my reply; and did I not shew an anxiety to ameliorate Mr. Finnerty's situation?—Yes, certainly you did. I saw Dr. Illingworth myself, immediately go into the Castle; and heard, a day or two after, that the window was made, and the extension of time allowed.

Dr. Illingworth.—I went into the turnkey's lodge, the prisoners being all at chapel, and wrote the following note, No. 5.

[Mr. Merryweather admits the receipt of the note.]

[Dr. Illingworth put in another Order, dated 8th March 1811, No. 6.]

[*Cross-Examined by Mr. Finnerty.*]

(H. 29.) *Dr. Cookson.*—Did you not say yesterday, that you put no medical questions to me?—I did.

How do you reconcile the statement in your report, with this answer?—Mr. Finnerty stated truly, on a former occasion, that he observed, on my first visit, I came to him like a regimental surgeon, to see what quantity of punishment the animal could bear; to shew how different my disposition was, to this remark, I made no reply. Mr. Finnerty then said, it was a teazing thing, that harassing questions should be asked by a gentleman he had not had the honour of seeing or knowing before; my answer was, "I do not come here to ask you any questions respecting your case, nor are you bound to answer me." Mr. Finnerty immediately presented me with a statement of his case, and opened Dr. Buchan's Domestic Medicine, and then said, "there is my case;" my reply was, "it is the case of all sedentary and literary people." I found the room exceedingly comfortable; a good fire, a carpet put down, and a very good bed.

Mr. Finnerty.—You visited me on the Saturday, after the magistrates order was issued?—I did; your room was exceedingly comfortable; the bed was in the middle of the room.

Can you venture to assert, the observation respecting the military surgeon, was at the first visit?—I am certain it was at the *first visit.*

Dr. Cookson.—I put you no medicine questions; as to your having said, the sun did not shine, I came into your apartment with my hat in my hand, and addressed you as a gentleman, while I observed you sat with your hat on; some time after, you desired me to be covered, saying you were unwell, and could not sit with your hat off. At that very moment, the sun burst out into the room, while I was there.

COMMISSIONERS.—How long have you been in practice?—Thirty years. I am generally called in by the surgeon, in cases of difficulty, and have been in the habit of attending thirty years at the gaol.

RICHARD

RICHARD MASON, Assistant to Under-Sheriff in 1810.

Appx. (H. 30.) *Richard Mason.*

Mr. Merryweather.—Do you recollect fetching me to the White Hart, soon after the arrival of Mr. Finnerty?—Yes, at his request.

What conversation took place?—I recollect Mr. Finnerty requested a description of the cell and the yard. Mr. Merryweather gave him the dimensions of the cell-yard, without specifying yards or feet; Mr. Finnerty said, "yards, yes," and Mr. Finnerty expressed himself satisfied. Mr. Finnerty came into the gaoler's room; Mr. Finnerty asked whether he could not have other rooms in front of the prison; Mr. Merryweather described to him the crowded state of the prison, and said it was impossible. I saw Mr. Finnerty on the Monday, and three or four times in his apartment, and he desired me to make an application for different apartments, and offered a sum of money; no sum was mentioned, but that Mr. Finnerty would behave liberally; it was however refused. He mentioned to me, that it would be a great accommodation, to take out one of the windows in the gaoler's room, and make a door-way. Mr. Merryweather never shewed a disposition to extort money from him, but quite the reverse; I never knew you offered any personal incivility to Mr. Finnerty, nor heard him say so. I was in the habit of seeing him, till his petition was presented to the House.

[*Cross-Examined by Mr. Finnerty.*]

(H. 31.)

Have you any recollection of the time of my making an observation, the terms of the room were no object?—It was the third time I saw you.

Was any person present?—No.

Did I ever tell you, I would give thirty guineas a year for that room?—No. I was sent for first to Mr. Finnerty, and afterwards sent to him as the agent of Mrs. Osbaldeston.

Did you ever say to any person, that the gaoler was ill-natured, for refusing me the room?—I never recollect making the observation.

Do you recollect, the day after the charge about the women was preferred against me, and I was closely confined, that you visited me in my apartment?—I did visit you.

Do you recollect my requesting you to ask the gaoler to come down to me, and hear my explanation of the subject of that charge?—Yes.

Did you make any observation?—I think it was likely I did; that he should listen to your explanation.

Did he refuse to come down?—He did.

Do you recollect, in the course of my conversation with you in the Castle-yard, that I told you I was preparing a remonstrance to the magistrates?—Yes; I have some recollection of your desiring me to ask the gaoler to give you redress, that he might not apply for it elsewhere; I informed you, the gaoler said, he did'nt care a damn for that; it was a menace. I recollect Mr. Finnerty making a request to be on civil terms with him; I wrote to Mr. Chaplin, but not at any body's request; I made the offer to Mr. Merryweather; I recollect your telling me, that the turnkey made the first offer to you about the woman. When I stated it to Mr. Merryweather, he said, he would not go near you, the magistrates would have cognizance of it, he would not go down.

GAOLER'S DEFENCE respecting Mr. FINNERTY's Charges.

(H. 32.)

ON Mr. Finnerty's committal to Lincoln Castle, he was placed in the ward appropriated to misdemeanors; this, it has been endeavoured to show, was used as a felons ward, and evidence has been produced, that felons have, at different times, been confined there. It is admitted, that from the limited scale of the prison, at some times, when the prisoners were numerous, to obtain a further separation of them, some have been placed in this ward, it not being wanted at that time for misdemeanors; but it is denied, that the Colleys for horse-stealing were removed out of it on Mr. Finnerty's coming; they were two for misdemeanors, and who were removed into one of the small low wards, where they continued until discharged, that Mr. Finnerty might not be incommoded with them. To show that misdemeanors were confined here, I would state, that six, at one time, were sentenced by the Court of King's Bench for that offence, and were confined in this ward during the whole of their imprisonment; and although the member for Boston interested himself to get permission for their being allowed, in the day-time, to go into the debtors area, yet it was positively refused, as being contrary to the rules of the prison.

To the various applications made by Mr. Finnerty or others, for apartments in the front of the prison, I have only to say, that the debtors side, for the first seven months of his time, was too full to offer any accommodation, had it been wished; but to all enquiries on that head, I have always replied, that the sentence of the Court was peremptory upon me, which directs "A commitment to His Majesty's gaol the Castle of Lincoln, to be there "kept in safe custody, in execution of this judgment;" and that I have pursued the same line of conduct in every other instance. To the different applications made by Mr. Finnerty, to have apartments in my house, I have always said, that I never had, nor ever would receive any prisoners into it; and that no motive of interest should induce me to do it. To all the ridiculous conversations spoken of by Mr. Marris, relating to Finnerty, "That the judges "knew my character, and sent the man here for me to tame him; that I was a proper "person to bring down such a dangerous fellow or scoundrel;" that I frequently called him a jacobinical scoundrel; all these, and many other similar expressions of abuse, I most positively deny. In the first seven months of Mr. Finnerty's imprisonment, Mr. Marris would not

Appx. (H. 32.)

associate with him; and the reason that he generally gave to every one for it, was, that it would hurt the feelings of his uncle and all his friends if he did. The greater part of those ridiculous expressions were continually coming from him, and a change of circumstances makes it now desirable to father them on me: this, I am sure, will be readily believed by all those who have had the misfortune to know him and his mischievous disposition.

Before Mr. Finnerty's committal, no person whatever confined in the crown prison, was allowed to have their friends remain with them in the prison, nor to see them, according to the rules, but in the presence of a turnkey. Very soon after his coming, an attempt was made to change the whole discipline of the prison, by any one coming and remaining as long as they pleased with him: this it was that occasioned the refusal of some people without an order, as I was directed; indeed, in my general conduct towards Mr. Finnerty, I was governed by what had been, and then was, the rules and practice of the prison, but which, from the line of conduct that followed, but too well succeeded in changing that system. The right of the magistrates to regulate and govern the prison, was denied boldly, and impudently, so much so, that until it could be properly ascertained, whether the management was vested by law in the magistrates or sheriff, they declined, from motives of delicacy, to act, and for nearly twelve months, the visiting magistrates, in consequence, never acted. The sheriff, from his great distance, could not render me any assistance in cases of sudden emergency, which, from the increasing disorder of the prison, during this time, was continually occurring; and if the under-sheriff came, it was only to be [illegible] or personally insulted. I was not only placed in a situation, by which I was deprived of the usual direction and assistance of the magistrates, but a magistrate was [illegible] against me; the gentleman I allude to is Mr. Langton, who on a visit to Mr. Finnerty, in April 1811, called upon me, to enquire why he had not better accommodations, and not being pleased with his not obtaining them, never spoke to me afterwards. His visits to Mr. Finnerty were very frequent, seldom more than a month between times, [illegible] more frequently, and remaining two, three, or four days at a time, and continued [illegible] the whole of the time in the Castle, in which he also generally took his meals. The regular hour of closing the prison, and all strangers leaving it, was nine o'clock, but he broke through that regulation, by remaining till ten o'clock or after: on one occasion Mr. Langton and a friend remained in until after eleven. This violation of the established rules of the prison by a magistrate, soon led to its being generally adopted, as far as related to his friends, Messrs. Finnerty, Drakard, and Marris, who had whatever friends they pleased to the same hour nightly. Dinner parties were frequently taking place, and drunken guests turning out in the evening, from which the above magistrate cannot even be excused. In this situation it can scarcely be wondered at, that subject to continual irritations, as I must have been, by a system of annoyance and abuse for months together, where meetings have been held daily, as appears by the evidence produced before you, for the foulest of all purposes, subornation of perjury, to a most dreadful extent, to take away my character; and all this because I would not suffer them to be as lawless as they pleased: for had I done that, all would have been right with me. Is it to be wondered at, that I should not occasionally have made use of hasty, and perhaps improper expressions, which I might afterwards regret? As to the different regulations that took place respecting Mr. Finnerty's having air and exercise, I was entirely governed by the directions of the magistrates, whose orders thereon you have received, and the general rules of the prison. I think it may be now safely asserted, that the departure from those rules, for the first time, in the case of Mr. Finnerty, and which was done by the magistrates from the best of motives, as I had frequent opportunities of witnessing, has led to all the irregularities that have followed. I have never felt the least personal hostility against Mr. Finnerty; he has asked for what he could not obtain; and I must be made to feel every thing his hostility could bring against me for it. For all that he has endeavoured to do to injure me, I forgive him, and think him more deserving of pity than resentment.

The last subject I beg to notice to you, is, the depositions of the parties, taken before the magistrates, to show the improper conduct of Mr. Finnerty in that transaction; insinuations were thrown out plentifully yesterday, that the whole was a trick of mine, premeditated on my part, to indulge a disposition to punish him. I do declare that to be false, and shall be glad of an opportunity of confirming it on oath. I knew nothing of it until told by the turnkey, and immediately made it known to the magistrates. Two of the deponents I did not even speak to, till before the magistrates, as Mr. Finnerty found out by enquiry, when confronted with them. Goodin, the servant, was accused yesterday by the errand boy of taking, along with the turnkey, the meat, wine, and ale of Mr. Finnerty. This charge was never made known to me before, nor do I believe it. Goodin remained in his service till the middle of August, four months after he had made his voluntary deposition of his master's misconduct, and when he left him, he gave him both clothes and money as a reward for his behaviour, and which the man gratefully acknowledged his kindness in doing. Is it to be supposed for a moment, that any man would, or could, so treat a servant that had falsely deposed against him? but he shall be made acquainted with the accusation of his master. The magistrates having now resumed the management of the gaol, with a determination to repress the riot and disorder that has so long prevailed in it, I hope and trust, that with their direction and assistance, I shall be enabled to discharge my duty to their entire satisfaction; and the better to secure that object, I shall be glad to avail myself of any instruction in the power of this Court to give me, and which, from your known experience in prison business, I hope I shall have the benefit of.

John Merryweather,
Keeper of the Castle of Lincoln.

August 27th, 1812.

Thursday next after the Morrow of the Purification of the Blessed Virgin Mary, in the Fifty-first year of King George the Third. Appx. (H. 33.)

Middlesex. The *King* against *Peter Finnerty.* } THE Defendant being brought here into Court, in custody of the Marshal of the Marshalsea of this Court, by virtue of a rule of this Court, and being by his own default convicted of certain misdemeanors, in composing, printing, and publishing certain scandalous Libels, whereof he is indicted; Upon hearing Mr. Attorney General of Counsel for the Prosecutor, and the Defendant for himself: It is adjudged and ordered, that he the said Defendant, for his offences aforesaid, be imprisoned in His Majesty's gaol the Castle of Lincoln, in and for the county of Lincoln, for the term eighteen calendar months now next ensuing; and that he the said Defendant do give Security for his good behaviour for the space of five years, to be computed from and after the end and expiration of the aforesaid eighteen calendar months, to wit; himself the said Defendant, in the sum of five hundred pounds, with two sufficient Sureties in two hundred and fifty pounds each: And it is further ordered, that the said Marshal, or his Deputy, do deliver the said Defendant, together with a [illegible] several other matters with which he is charged in the said Marshal's custody, into the custody of the Sheriff of the said county of Lincoln, and keeper of the said gaol, there to be by them kept in safe custody, in execution of this judgment, and until he shall have given such Security as aforesaid; and also charged with the several other matters aforesaid.

By the COURT.

Peter Finnerty rendered, &c. 26th January 1811, in discharge of his Bail, at the suit of Robert Robinson; oath £.363. and was thereupon committed,

By Honourable *J. Bayley.*

And is detained for no other cause, as appears by the books.

William Hughes,
21st February 1811. Clerk of the papers of the King's Bench Prison.

Declaration served, in the above action, on Peter Finnerty, May 23d, 1811.
J. M.

Notice of Plea, in the above action, served on Peter Finnerty, 3d June 1811.
J. M.

C. Draper,
Thavies-inn, Solicitor.

To the Magistrates of the County of Lincoln. (H. 34.)

Gentlemen, Lincoln Gaol, Feb. 28th, 1811.

UNDERSTANDING that any prisoner in this gaol, who has reason to complain, is directed to make his complaint to your worships, I have to request your attention to the following statement:

I am confined upon a ground floor, in a cold gloomy apartment, the door of which into the adjoining yard, opens nearly opposite my bed, and of course aggravates my cold. This yard, which I calculated to be about 25 feet square, is inclosed by a wall, so high as to exclude the free circulation of air; and this situation is the more grievous, because, from the state of my health, being subject to indigestion and violent spasmodic affections in the stomach, I have been uniformly advised by all medical men whom I have had occasion from early age to consult, to take as much exercise as I could in the open air, in which I have been always recommended even to read, when the weather permitted: such has been the advice of Doctors Lipscombe, Wright, and Stanton, whom I have particularly consulted in London, in consequence of that aggravation of my disease, occasioned by the extreme uneasiness of my mind for some time back; and such also, as it appears from the inclosed, is the opinion of the physician, to whose advice I have felt it necessary to resort since my arrival at Lincoln. I am indeed myself fully sensible that the enjoyment of pure air and exercise is indispensably necessary to the preservation of my life, and that a warm apartment is particularly requisite, and the more so, from the nature of this climate, yet, in that which I occupy, I have really never been free from cold. I have to add, that, to the larger area that surrounds the prison, all the prisoners have access throughout the day, with the exception of the common felons and me. For about three quarters of an hour each day, during which, I observe, all the other prisoners are locked up, I have been allowed to walk in this area; but it must be obvious that this is quite insufficent for necessary exercise, and this I have the more to regret, because I can take no exercise in the yard adjoining my apartment, in consequence of a most offensive smell, proceeding, as I undersand, from the common sewer of the prison, which runs underneath that yard.

At the whole of this treatment, I am the more astonished, because it differs so much from that experienced by every man confined in England upon similar grounds: Mr. Cobbett occupies the first floor of the keeper's house at Newgate; and Mr. White, although at the outset of his imprisonment, subjected to some inconveniences through a misapprehension of duty on the part of those who had the controul of the prison to which he was committed,

he

Appx. (H. 34.) he has, for a considerable time back, enjoyed all the accommodation which his prison is capable of affording; and such also is now the case with Gale Jones. The grant, in fact, of such accommodation and indulgence, is the universal practice, and why I am subjected to such extraordinary privations, is quite unaccountable. In consequence of those privations, I have suffered extremely from want of repose, and loss of appetite, and from nature's becoming unable to perform her ordinary functions. The sentence passed upon me was simply a confinement of eighteen months in Lincoln Castle, and I cannot conceive it was the intention of the Court to have that sentence aggravated by such unnecessary severity; but that quite the reverse was the intention of the Court of King's Bench, I have the best founded reasons to believe; for, in consequence of my distinct protest against close imprisonment, I have been informed, that this prison was assigned me, upon the recommendation of Justice Bayly, on account of the large area which it affords for the enjoyment of air and exercise. If the Court had really intended to subject me to any extraordinary rigour, it was natural to apprehend, that such rigour would have been inflicted by the Marshal of the King's Bench Prison, who is the immediate officer of the Court; but by that gentleman, I was accommodated wtih the two best rooms he had it in his power to provide; and before my departure from London, a letter was addressed by him to the governor of this prison, requesting him particularly, in consequence of the delicate state of my health, to furnish me with a well-aired apartment. This letter Mr. Merryweather has told me he received. To these particulars I am the more anxious to direct your attention, as, from the conduct of the marshal, you will be enabled to judge more correctly of the dispo- sio of the Court towards me.

Having laid all these facts before your worships, I think it unnecessary to make any comment. I request you to recollect the cause of my imprisonment; I complained of personal injury, and reprobated torture; at which the hearts of all Englishmen, whatever their political principles may be, must revolt with horrour. Under such circumstances I cannot permit myself to doubt, that your worships, or any body of Englishmen, having a due regard to the character of justice and humanity, and to their own character in society, would hesitate to afford me any degree of accommodation that could tend to mitigate the rigour of my imprisonment.

I have the honor to be,
Gentlemen,
With deference, your very obedient humble servant,
P. Finnerty.

(No. 3.)

(H. 35.) (Copy.)

The visiting magistrates of the Castle of Lincoln, do request Dr. Cookson and Mr. Franklyn to inspect the room in which Mr. Finnerty is confined, and report to the said magistrates, as soon as possible, their opinion of the room and yard, as to the ventilation and healthiness thereof; and whether the present state of the room is at all prejudicial to his health.

Caley Illingworth, *Nevill King,*
John Cracroft, *Edward Broomhead,*
Henry Hutton, *John Nelson.*

Castle of Lincoln,
1st March 1811.

(No. 4.)

(H. 36.) Gentlemen, Lincoln, March 2d, 1811.

In compliance with your written request of yesterday, we have this day visited and inspected the apartment and court-yard assigned to Mr. Finnerty; respecting the former of which, we beg to state, that it is lofty, airy, and spacious, and well lighted; while in the latter, we could perceive nothing impure or offensive. Mr. Finnerty's symptoms are of the dyspeptic kind, the peculiar lot of literary and sedentary characters, and with which, close confinement and want of fresh air but ill accord; we beg therefore to propose, that in addition to the inner door now making, for the sake of internal warmth, that a casement be made in the window, for the purpose of admitting fresh air, as health or occasion may require; and we further beg to suggest the propriety of Mr. Finnerty's being allowed to breathe the fresh air of the Castle-yard for two hours in the course of the day: with such alteration and accommodation, we have little hesitation in saying, that Mr. Finnerty may enjoy as good a state of health as generally falls to the lot of literary or sedentary people.

We have the honour to be,
Gentlemen,
Your most obedient humble Servants,
A. Cookson, M. D.
Fran^s Edm^d Franklyn,
Surgeon to the Castle.

To the Worshipful the Visiting Magistrates of the Castle, Lincoln.

(No. 5.)

(H. 37.) Mr. Merryweather,

I called upon you, but you were all at chapel. I desire to-morrow morning that you will have the window in Mr. Finnerty's apartment made to open, that the air may be admitted;

mitted, and you have my authority to permit Mr. Finnerty to walk out for three hours each day, if he wishes it, provided he will give you his word, that he will have no communication with the debtors, and will confine himself to that part of the outer yard where the debtors are not permitted to walk. I give this order, in consequence of the report of Dr. Cookson and Mr. Franklyn, and it may continue in force till Friday next, unless a meeting of the magistrates should take place in the interim. Appx. (H. 37.)

Sunday, 3d March, 1811. *Caley Illingworth.*

(No. 6.)

Ordered, That Mr. Finnerty, in consequence of his ill-health, be permitted to take exercise for three hours daily, between the hours of ten and two o'clock in each day, in that part of the Castle-yard between the County Hall and the west wall, till further orders. (H. 38.)

Justice-room, 8th March 1811.

John Cracroft,
Caley Illingworth,
Henry Hutton,
Edward Bromhead,
John Nelson,
Henry John Wollaston.

(No. 7.)

Mr. Merryweather having preferred a complaint to the magistrates, against Mr. Finnerty, for endeavouring to seduce his turnkey from his duty, and for offering money to the female prisoners, when they were cleaning the County Hall, to be criminally connected with Mary Draper, feels it necessary to restrict Mr. Finnerty to his own ward, until Mr. Merryweather is acquainted with the magistrates determination thereon. (H. 39.)

(No. 8.)

Lincolnshire, Lindsey. THE Examination of William Tuxworth, Turnkey in His Majesty's gaol the Castle of Lincoln, taken on oath before us, John Cracroft and Henry Hutton, Esquires; the Reverend Archdeacon Illingworth, Edward Bromhead, and John Nelson, Clerks, five of His Majesty's Justices of the Peace acting in and for the said Parts, the sixth day of May, in the year of our Lord 1811. (H. 40.)

Who saith, That when he has been in Mr. Finnerty's room, he has been frequently requested by Mr. Finnerty, to let him have access to the women prisoners; that, on various occasions, he has offered him money for that purpose, and promised him that he should never want money during the time that he (Mr. Finnerty) or himself was in the Castle; that in consequence of this examinant's constant refusal, on Wednesday evening, Mr. Finnerty said, this deponent was a damn'd insolent fellow, because he would not do it, as he might, without Mr. Merryweather's knowing it, if he pleased: And this examinant further saith, that the servant of Mr. Finnerty, at his request, has frequently applied to this examinant to let him have one of the female prisoners, but at the same time always advised this examinant never to consent to it: And at the same time said, that the only reason for his application to this examinant was, to get rid of the importunities of Mr. Finnerty, who frequently used abusive language for his not making it; and this examinant further saith, that Mr. Finnerty hath several times applied to this examinant to leave open the passage door communicating with the yard belonging to his apartment, that he might go to the women's door to talk with them; and also, that if he pleased, he might get a key made for him, and then he might go when he pleased; and that frequently when this examinant has refused to comply with his unlawful requests, he (Mr. Finnerty) called Mr. Merryweather a damn'd rogue, and otherwise spoke disrespectfully of him.

Taken before us: *Caley Illingworth,* *Henry Hutton,* *John Cracroft,* *John Nelson,* *Edward Bromhead.*

The Mark of ⋈ *William Tuxworth.*

(No. 9.)

Lincolnshire, Lindsey. THE Examination of John Goodin, a prisoner for debt in His Majesty's gaol the Castle of Lincoln, taken before us, John Cracroft and Henry Hutton, Esquires; the Reverend Archdeacon Illingworth, Edward Bromhead, and John Nelson, Clerks, five of his Majesty's Justices of the Peace acting in and for the said Parts, the sixth day of May, in the year of our Lord 1811. (H. 41.)

Who saith, That he is appointed by Mr. Merryweather to wait on Mr. Finnerty; that during the time he has attended him, he has frequently solicited this examinant to prevail on the turnkey to let some of the female prisoners have access to his room, and particularly in the week after the assizes; that on the twenty-sixth of March last, during the time he was in Mr. Finnerty's room, he accused this examinant as being the only obstacle in the way of his getting to the women prisoners, which this examinant denied; that Mr. Finnerty then asked him to go to the turnkey, and to offer him a guinea if he would let him have access to the women prisoners; and that he knew this examinant might accomplish it if he would, but this examinant always refused to lend assistance,

Appx. (H. 41.)

and continually advised the turnkey to do the same, for that if he did, it would be his ruin.

John Goodin.

Taken before us: *Caley Illingworth,*
John Cracroft,
Henry Hutton,
Edward Bromhead,
John Nelson.

(No. 10.)

(H. 42.)

Lincolnshire, Lindsey. } THE Examination of Rebecca Stevenson, a prisoner in His Majesty's gaol the Castle of Lincoln; taken on oath before us, John Cracroft and Henry Sutton, Esquires; the Reverend Archdeacon Illingworth, Edward Bromhead and John Nelson, Clerks, five of His Majesty's Justices of the Peace acting in and for the said Parts, the sixth day of May, in the year of our Lord 1811.

Who saith, That about a month ago, she was directed by Mr. Merryweather, keeper of the said gaol, together with Elizabeth Barton and Mary Draper, two other prisoners in the said gaol, to clean the County Hall, with directions not to hold conversation with any of the men from the windows; that during the time they were there, this examinant, and the said Mary Draper, went down stairs to throw their dirty water out of the back window, where they were observed by Mr. Finnerty, who came to them; and he entered into conversation with Mary Draper: And this examinant further saith, that Mr. Finnerty told Mary Draper that she had got a nice job there, and it helped to pass her time away, and asked if he might come in, to which she appeared agreeable; and then she asked this deponent if he might come in, to which she replied, she would do nothing without Mrs. Barton's consent; Mr. Finnerty then offered Mary Draper a guinea if he might come in; that he would not be above five minutes; and that he would give her a guinea, and the other women half-a-guinea each, not to betray her; that Mary Draper then replied, if any thing should happen, and most likely it would, that a guinea would be a poor recompence to her; when Mr. Finnerty replied, if any thing should happen, he would place her in a situation; and when he got his own liberty, he would take good care of her. This examinant then directly informed Mrs. Barton, who instantly came down, and resisted Mr. Finnerty's coming in, saying, that if he did, she would inform Mr. Merryweather. That upon Mrs. Barton's coming down stairs, Mary Draper shut this examinant and Mrs. Barton up in the room, where she held a conversation with Mr. Finnerty. That soon after, Mr. Finnerty came back to the room where this examinant and Mrs. Barton were, and endeavoured to persuade Mrs. Barton to let him come in, when he offered them half-a-guinea each to keep the secret, and said, he knew Mr. Merryweather was gone down hill, that no person else was about, and that it would never be known: And this examinant further saith, that during the conversation between Mr. Finnerty and Mrs. Barton, she heard him say, "the governor (meaning Mr. Merryweather,) is a damn'd rogue, and he has been a damn'd "rogue to me; he is as likely to punish you as me, but I do not care for him:" And this examinant further saith, that Mr. Finnerty lurked for the space of half an hour in the back of the County Hall, in hopes, as she believes, of getting admittance to Mary Draper.

Taken before us: *Caley Illingworth,*
Henry Hutton,
John Cracroft,
Edward Bromhead,
John Nelson.

The mark of
✕
Rebecca Stevenson.

(No. 11.)

(H. 43.)

Lincolnshire, Lindsey. } THE Examination of Elizabeth Barton, a prisoner in His Majesty's gaol the Castle of Lincoln; taken before us, John Cracroft and Henry Hutton, Esquires; the Reverend Archdeacon Illingworth, Edward Bromhead and John Nelson, Clerks, five of His Majesty's Justices of the Peace acting in and for the said Parts, the sixth day of May, in the year of our Lord 1811.

Who saith, That she was directed by Mr. Merryweather, about a month ago, together with Rebecca Stevenson and Mary Draper, to clean the grand jury room in the County Hall; that during the time she was at work there, Rebecca Stevenson came and informed this examinant, that Mr. Finnerty was below, talking to Mary Draper, and that he had offered her a guinea to come in, upon which, this examinant went down stairs, and there found Mr. Finnerty and Mary Draper in conversation; and that Mary Draper shut the door of the room in which she was, in this examinant's face, and excluded her from the room; this examinant then went to the window of the other room, where Mr. Finnerty soon followed, and asked her if she would let him come in and speak to Mary Draper, but this examinant refused: Mr. Finnerty then offered this examinant half-a-guinea to keep it a secret, and informed her, that Mr. Merryweather was gone down hill; that no person else was about, and that it would never be known: And this examinant further saith, that she is certain that no further communication then took place between Mr. Finnerty and Mary Draper: And this deponent further states, that during the conversation between Mr. Finnerty and Mary Draper, she heard Mr. Finnerty say, that "the governor "(meaning Mr. Merryweather) is a damn'd rogue, and he has been a damned rogue to me; "he is as like to punish you as me, but I do not care for him:" And this deponent lastly says,

says, that Mr. Finnerty lurked for the space of half an hour in the back of the County Hall, in hopes of getting admittance to Mary Draper. Appx. (H. 43.)

Taken before us: *John Cracroft,*
Caley Illingworth,
Henry Hutton,
John Nelson,
Edw. Bromhead.

The Mark of
X
Elizabeth Barton.

(No. 12.)

AFTER presenting, as addressed, the subjoined testimony, Mr. Finnerty was permitted to walk three hours a day in the area surrounding his prison, and in a week or ten days from that time, was so far recovered from his complaints, as to render a continuance of my visits unnecessary. Immediately upon his return to close confinement, my professional assistance was again required; and in the course of three weeks, I find all his former symptoms not only returned, but greatly aggravated.

Under these circumstances, it is my opinion, that the same, or a stronger necessity of fresh air and exercise exists, than did at the time of my former application.

Lincoln, April 29th, 1811. *E. P. Charlesworth,* M. D.

To the Magistrates of the County of Lincoln.

BEING professionally consulted by Mr. Finnerty, I am called upon to state my opinion, that his health, already much impaired, must materially suffer from the confinement to which he is now subjected, and from the alleged coldness of his room; and that a warm room, and every possible advantage of fresh air and exercise, are indispensably necessary, not only for the chance of his recovery, but even for the preservation of his present state of health. (H. 44.)

I have the honour to be,
Gentlemen,
Your most obedient servant,
E. P. Charlesworth, M. D.

Lincoln, March 1st, 1811.

(No. 13.)

BEING called upon, in my professional capacity, to visit Mr. Peter Finnerty, in the Castle of Lincoln, I found him affected with many severe complaints, arising from disease of the digestive organs, with which, from his own testimony, he has at different times before, when deprived of the opportunity of air and exercise, been in a slighter degree affected. (H. 45.)

From the testimony also of Dr. Charlesworth, who has attended Mr. Finnerty during the greater part of the time he has been here, these complaints existed to a considerable degree of severity on his first coming, but almost entirely went off on his being allowed a freer air and more extended place of exercise. Within the last three weeks, since he has been again more closely confined, they have returned in a much aggravated form.

It is my opinion, that there is little or no chance of his health being restored, without a freer allowance of air and exercise than the confined court, to which he is at present restricted, will admit of; but on the contrary, every prospect of his complaints going on encreasing.

Lincoln, April 29, 1811.

John Fawssett, M. D.

(No. 14.)

Gentlemen,

BEING again requested to visit Mr. Peter Finnerty's apartment and adjoining yard, for the purpose of reporting our opinion of the same, as well as our idea of his general appearance, and how far his state of health might be affected by a more strict confinement, which it has been deemed proper to impose upon him; we beg leave to repeat the conviction stated in our last report, viz. that the apartment and yard in question are roomy, spacious, and airy, and perfectly free from any impure or offensive smell. We also give it as our opinion, that neither the appearance or general state of health of Mr. Finnerty, seem to be injured by a closer confinement; but, while we observe that the yard and apartment assigned to Mr. Finnerty, are considerably larger than the opposite ones, which contain from three to four prisoners each, and whose health seems not to be affected by such confinement, yet we cannot but recommend some extension of indulgence, as to air and exercise. (H. 46.)

We have the honour to be,
Gentlemen,
Your most obedient humble Servants,
A. Cookson, M. D.
F. E. Franklyn,
Surgeon to the Castle.

May 6th, 1811.

To the Visiting Magistrates of the Gaol for the county of Lincoln.

(No. 15.)

Mr. Merryweather received last night the magistrates directions, that Mr. Finnerty (on account of his plea of ill-health) be allowed to take exercise from one to two o'clock in each day, on the walk under the west wall only, in the presence of the turnkey, to prevent any further improper communication.

Appx. (H. 47.)

Mr. Finnerty was received into custody in the Castle of Lincoln, the twenty-fourth day of February last, and was placed by the keeper, in the ward appropriated for misdemeanors, of which the following is an exact description:—A room on the ground floor, size twenty-two feet by eleven feet six inches, and sixteen feet high, having a south aspect, and a door on the south side, communicating with a paved court-yard, size, thirty feet by forty-five feet, perfectly clear and neat: it is surrounded on the north by the debtors building, on the east by the Crown prison, on the south and west by the prison walls, about twenty-two feet high, without any buildings in those quarters, to prevent the free circulation of the air. To prevent the too large admission of cold air into the room, a second door, closely fitted and covered with green baize, was put up by the direction of the magistrates. The window is an opening of five feet by four feet six inches, half of it a casement, that will open for ventilation, when required. The sun shines into the room nearly the whole of the day, and at noon-time, at this season of the year, more than two-thirds of the court-yard has the sun in it. The floor of the room is three feet above the level of the external ground adjoining, and sixteen inches above that of the paved court-yard, of course perfectly dry; nor is there any offensive smell whatever. On Mr. Finnerty's first coming, he urged the keeper to let him board with him, or, if that was not convenient, to let him have a suite of rooms in his house, for which he offered to give any thing that might be required; stating, at the same time, the accommodation Cobbett at Newgate, White at Dorchester, and Gale Jones at Cold Bath Fields, were receiving. The keeper informed him, that he never had taken any person into his house, and never would, at the same time assuring him, it was from no personal objection to him; with this, he professed himself satisfied; he then urged to be admitted on the Civil side of the prison. He was told, that being a Crown prisoner, the keeper felt it his duty to place him in that ward of the Crown prison, for offenders of his class, and with which he must content himself, there not being any other room in the prison near so good as that in which he was placed; besides the impropriety of placing him on the Civil side, that department of the prison was so unusually full, as to be incapable of properly accommodating those who were obliged to inhabit it. Mr. Finnerty then stated, that he had been much out of health, and his fears that the closeness of the confinement might increase it; the keeper, therefore, the first day, offered him leave to walk out for an hour in the day in the outer area, where other prisoners are not permitted to walk; this he willingly accepted, but was not long contented with it, as he a few days after petitioned the magistrates in the following manner, (No. 1.) This letter was accompanied by a medical certificate of Dr. Charlesworth, (No. 2.) The description of the ward, as given in those papers, being very different from the magistrates opinion of it, the following order was sent to the medical men employed at the Castle, (No. 3.) The report of these gentlemen, made the 2d of March, was to the following effect, (No. 4.) This report being shewn the next morning (Sunday) to a visiting magistrate, who, knowing there would not be an opportunity of considering the report, or making any order thereon, till the weekly meeting of magistrates on Friday, immediately came to the Castle, and left the following order, (No. 5.) Mr. Finnerty was accordingly permitted to take the exercise mentioned in that order, until Friday, when the report was considered by the whole of the visiting magistrates, and the following order made, (No. 6.) Though this extended indulgence as to time, was given him, yet he was much offended at the time of the day being limited to take it in, and declared, with much warmth, that they were determined to annoy him as much as possible; he said, if he could but have the three hours at different times of the day, he should be perfectly content, it was as much as he wished for; the keeper told him that the magistrates had no wish or desire to annoy him, but, on the contrary, were disposed to make his confinement as comfortable as they could; and, as a proof of it, he was the first Crown prisoner they had ever given such an indulgence to. Expressing himself so very anxiously to have the time granted at different times of the day; that it was all he wished for, and he should be well satisfied with it; the keeper told him, that so convinced was he of the magistrates wish to grant it in that way that would be most serviceable to him, that he would let him take it at certain hours; then arranged with him, until he could see the magistrates, and which was afterwards fully approved of by them. Mr. Finnerty continued to take the exercise so allowed, for several weeks, daily extending the time, till in fact no limit of time was attended to on his part, but of which no notice was taken. It was taken, too, not only in the part directed, but in the keeper's private garden, where he often remained in the green-house reading or sleeping, till after the debtors were all locked up; at any time, when so walking, friends having business or a wish to see him, were never restrained from walking and talking with him as long as they pleased, without any person being present. In this state things went on smoothly for some time, and Mr. Finnerty must have been satisfied, from the frequent opportunities of conversation which took place with the keeper, that so far from his wishing to limit him strictly to the indulgence granted by the magistrates, he even felt a pleasure in extending that indulgence, little aware that the return he was to receive for it, was an infamous attempt to injure him by corrupting his servant, and that, not in one solitary instance where the warmth of a man's passion might be supposed to over-

power

power his better judgment, but wilfully and deliberately, day by day, for several weeks together. This coming to the knowledge of the keeper, he communicated it to Mr. Finnerty in the following note, (No. 7.) The magistrates were requested by the keeper to take the depositions of the parties, copies of which are sent herewith, (see Nos. 8, 9, 10, and 11.); and though no proceeding could take place upon them, yet the magistrates were so well satisfied of the truth, as to sanction the abridgment of those indulgences he had so shamefully abused. This soon produced another medical certificate from Dr. Charlesworth, accompanied by one from a Dr. Fawssett, who it seems was sent for from Horncastle on purpose. The following are copies of them, as also of Dr. Cookson's second certificate by direction of the magistrates, (see Nos. 12, 13, and 14.) As to Mr. Finnerty's health, it is a little unfortunate for his doctors, that his improving appearance should not confirm their opinions; the fact is, he looks considerably better since he came here; and if there is any danger to be apprehended, it is more from the instability of his mind, than from the place he is confined in, which cannot in any respect be destructive to health; the magistrates have however, notwithstanding his conduct to the keeper, permitted him one hour in the day in the outer area, (see No. 15,) attended by a keeper, to prevent the possibility of any other irregularity. Appx (H. 47.)

Bail of Lincoln. } INFORMATIONS of Witnesses severally taken and acknowledged, on the behalf of our Sovereign Lord King George the Third, touching the death of Robert Dowse, on Monday the twenty-fifth day of March, in the year of our Lord one thousand eight hundred and eleven, and in the fifty-first year of the reign of our said Lord the King, at the Castle of Lincoln, in the Bail of Lincoln, before me John Drury, one of the coroners for the county of Lincoln, on an Inquisition then and there taken on view of the body of the said Robert Dowse then and there lying dead, as follow; to wit, (H. 48.)

WILLIAM TUXFORD, of Mumby, near Alford, Farmer; Sworn.

This deponent on oath says, that the deceased was named Robert Dowse, that he was aged eighty-four years, and for several years past was a farmer, at a place called Mumby Chapel, near Alford, in the county of Lincoln; that about two months ago, the said Robert Dowse was brought to Lincoln County Prison, as a debtor; and this witness, having been long acquainted with him, offered his services to wait upon him, and to assist him in the best manner he could. This witness next says, that the said Robert Dowse, on his first coming to the prison, was very infirm and weak, that he had several old blotches and sores on his legs and thighs, and appeared to be in a very emaciated state both of body and mind. This witness further says, the said Robert Dowse was well treated during his confinement, and was allowed many little indulgences; that he daily grew worse from his first coming to the place, and this morning, Monday the twenty-fifth of March in the year aforesaid, the said Robert Dowse was found lying dead in his bed; and that he died by the visitation of God, in a natural way, this witness declares himself to be fully satisfied.

(Signed) His
William ✕ *Tuxford.*
Mark.

Here ended the evidence of William Tuxford, and proclamation was made for further evidence, but no person came forward. One or two men spoke (they were debtors), and said, they could not contradict the evidence given by Tuxford; but they thought the poor man was neglected in not having a woman nurse; that this matter ought to be taken down in writing, and laid before the county magistrates, or other proper persons.

The Coroner informed them, if they had any complaint to make against the keeper of the prison, he was ready to write down their evidence, but that evidence must be upon oath, and signed by them. Not any person came forward, and the Jury gave a verdict, that the said Robert Dowse died by the visitation of God, in a natural way, and not otherwise.

Copy of the Evidence,
March 25th, 1811.

JOHN DRURY,
Coroner.

(Copy.)

INQUEST, on Wednesday, May 20th, 1812, at the County Prison at Lincoln, on the body of James Godfrey, a Debtor. (H. 49.)

Names of the Jurors:

Samuel Horner, Foreman,	Dowager Brummit,
William Gazard,	Thomas Moore,
Samuel Stephenson,	John Bradbury,
William Harmston,	William Anderton,
Thomas Perdue,	John Lark.

The six following Debtors were named and sworn:

Samuel Chapman,	George Balderson,
William Moyer,	George Mower,
Thomas Collingson,	James Green.

(Copy.)

Lincolnshire, Lindsey. } INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord King George the Third, touching the death of James

Appx. (H. 49.)

James Godfrey, on Wednesday the twentieth day of May, in the year of our Lord one thousand eight hundred and twelve, in the fifty-second year of the reign of our said Lord the King, at the County Prison at Lincoln, situated in the Bail of Lincoln, in the parish of Saint Mary Magdalene, in the county of Lincoln, before me John Drury, one of the coroners for the said county, on an Inquisition then and there taken on view of the body of the said James Godfrey, then and there lying dead, as follow; to wit,

WILLIAM GOODFELLOW, of the parish of West Walton, near Wisbeach, Farmer; Sworn.

This deponent says, that the deceased was named James Godfrey; that he was lately a public-house keeper at Moulton Seas End, in the parish of Moulton; and that he was aged about 36 years. This deponent says, he has been well acquainted with the deceased for nearly 20 years, and that he, the deceased, came as a debtor to the County Prison at Lincoln, about twenty-six weeks ago: when he came to the said prison, this witness says, that he, the said James Godfrey, was in good health, and so continued until a fortnight ago: he had cut his hand a little time before that, which became inflamed, and the surgeon of the prison attended upon him. He daily continued to be more unwell, but did not appear to be dangerously ill, until Sunday night last, the 17th of this month, when between the hours of nine and ten, he became so ill as to alarm those who were in company with him. The next morning, Monday, May 18th, the surgeon attended upon the said James Godfrey, about the hour of ten; but the said surgeon had notice to attend upon the poor man at the hour of seven; and the said James Godfrey died this morning, Wednesday the twentieth of May, about the hour of eleven. This witness lastly says, he is of opinion that if the said James Godfrey had been supplied with a small quantity of gin, or other spirits, in due time, they might have been of service to him, as he had always been a very free liver.

(Signed) *Wm. Goodfellow.*

JOHN GIBBONS, of Long Sutton, Horse Farrier; Sworn.

This witness says, that this morning, a quarter before four, the said James Godfrey was taken alarmingly ill with a pain in his bowels; and this witness went to a certain place, and informed the turnkey of Mr. Godfrey's illness. The said turnkey refused to call his master, and said, he should not open the doors until the usual time, which is half-past six. He further says, the keeper of the prison never attended to see the said Godfrey, or sent any of his servants to wait upon him, or enquire after him.

(Signed) *John Gibbons.*

JOHN BRODERICK, late of Boston, Watchmaker; Sworn.

This witness says, he heard the turnkey declare, as stated by Gibbons, that he could not open the doors until the usual time.

(Signed) *John Broderick.*

DAVID SOLOMON, late of Boston, Silversmith; Sworn.

This witness says, he also heard the turnkey declare, that he could not open the doors until the usual time. (Signed) *David Solomon.*

JOHN EVANS, late of Farningham, Surgeon; Sworn.

This witness says, he was called upon, on Monday morning last, to attend upon the said James Godfrey, whom he had attended for some time for an erysipelatous eruption, and found him in a severe paroxysm of an attack of gall stones passing from the bladder. This witness says, he ordered what was proper for him; and that last night, at nine o'clock (which was the last visit until this day), he found him much better in his health. This witness next says, he was called upon this morning, exactly at the hour of five, and went immediately to see the patient. He found, there was not any possibility of recovery, as a mortification of the gall duct had already taken place. This witness lastly says, he does not believe he could have been of any service, if he had been called sooner.

(Signed) *John Evans.*

ROBERT MARRIS, late of Louth, Gentleman; Sworn.

This witness says, he heard John Evans, who last gave evidence, declare, that if he had been sent for sooner, he might have saved the man, or relieved him; stating, at the same time, he had been informed of the shameful conduct of the turnkey, who had refused to call the gaoler, or to open the doors until the usual time. As a corroboration, *that* was the opinion of the medical man. He, the medical man, enquired for some spirits, which some person present endeavoured to administer, but it was too late: the surgeon then again repeated, that it was a pity, that gaolers and their officers did not do their duty, when people were ill. This deponent then stated the conduct of the turnkey, who refused to call the gaoler, or to open the doors, until the usual time, declaring, that the gaoler never had, to the recollection of this witness, visited any prisoner who was ill, although frequently requested so to do by this deponent.

(Signed) *Robert Marris.*

Appx. (H. 49.)

JOHN JOHNSON, late of Long Sutton, Bricklayer; Sworn.

This deponent says, he is turnkey at the County Prison at Lincoln; and that this morning, Wednesday, May 20th, when in bed, he was called upon by certain debtors (he believes about the hour of four), who informed him, that Mr. Godfrey was ill, and requested him, the said turnkey, to call a person named Goodfellow; Goodfellow was up, or very soon did make his appearance. This witness got up immediately, and did procure the keys in about three quarters of an hour, and the surgeon arrived on or about the hour of five.

(Signed) *John Johnson.*

WILLIAM GRONOW, late of Boston, Hosier; Sworn.

This witness says, that Mr. Godfrey complained this morning of being much worse; the turnkey was called upon to order the attendance of the surgeon, who arrived about the hour of five, and Mr. Godfrey died about eleven. The surgeon did say, in the presence of this witness, that if he had been called sooner, he probably might have been of service, but it was then too late. The surgeon complained of the turnkey and the gaoler, that he was not called sooner.

(Signed) *Wm. Gronow.*

WILLIAM FIELDS, late of Louth, Butcher; Sworn.

This witness says, he heard the surgeon declare, that if he had been called three or four hours sooner, he might have been of service.

(Signed) *Wm. Fields.*

William Fields was the last evidence.

Proclamation was made, That if any person could give further evidence, let them come forward; but none appeared; and the jury were requested to consider of their verdict. They retired to the farthest part of the chapel, and in about twenty minutes returned a verdict, "That the said James Godfrey died by the visitation of God, in a natural way, and "not otherwise."

A true Copy from the orignal Records,

JOHN DRURY, Coroner.

(H. 50.)

To the Commissioners appointed to enquire into the State and Management of the County Prison at Lincoln.

The PETITION of John Drury of Lincoln, one of His Majesty's Coroners for the County of Lincoln.

YOUR petitioner, on Wednesday the twentieth of May last, being in the year of our Lord one thousand eight hundred and twelve, held an Inquest at the said prison, on the body of a man named James Godfrey, then and there lying dead, and confined in the said prison for debt.

George Langton, of Langton near Spilsby, esquire, (a magistrate of the county); Mr. Peter Finnerty and Mr. John Drakard, both in the said prison for libels; and Robert Marris, late of Louth in the county of Lincoln, gentleman, confined for debt, attended the Inquest. The jury met in a chapel belonging to the prison (used for Divine Service) soon after three in the afternoon, and the enquiry ended about eight.

The above gentlemen were in the chapel on the arrival of your petitioner, and were provided with one or more law books, pencils, and writing paper. The second juror called was William Gazard, whitesmith. This person was instantly objected to by Mr. Finnerty, who said, he was an improper man to serve, as he was frequently employed by the keeper of the prison, and therefore would act with partiality. Mr. Gazard felt himself hurt; he said, he had been warned by the constable of his parish to attend; and he thought he could serve on the jury with as honest a face as those who objected to him. Your petitioner spoke in favour of Mr. Gazard, observing to Mr. Finnerty and his party, that if they had a right to be in the Court, they certainly had no authority to interrupt the jury, or to object to any of them.——("When your petitioner was going down a passage towards the chapel, "Mr. Langton and Mr. Finnerty were discharging the turnkey from locking certain doors, "saying, 'It is an open Court, and we have a right to be present.' They repeated this to your "petitioner on his entrance, to which your petitioner replied, it might be an open Court; he "had no objection to any person being admitted, if they behaved with civility, and did not "interfere with the duty of the coroner or the jury.")——Your petitioner taking the part of Mr. Gazard, as above stated, brought violent expressions from Mr. Finnerty and Mr. Langton; the former said, your petitioner ought to be obliged to them for their assistance; they had come there to instruct him in his duty, and they would compel him to do it, if he had the ability. Your petitioner was extremely weak at the time, having been ill four weeks; and the violent behaviour of Mr. Finnerty and his party, had such an effect upon him, that he left the Court twice, before he was capable of swearing all the jurors. Mr. Langton frequently said to him, he was unfit for the situation of coroner, and he would take care to cause his removal in a short time.

Each time your petitioner left the Court, Mr. Finnerty and his party said, he was gone to consult Mr. Merryweather. This was an unjust charge; your petitioner had one glass of

Appx. (H. 50.)

of water each time; and each time his complaint to Mr. Merryweather was in the following terms: "I am so ill, Sir, and Mr. Langton, and the other gentlemen with him, behave "with so much rudeness, I cannot proceed with the business, and I mean to adjourn any "further enquiry until to-morrow." It was through the persuasion of Mr. Merryweather that your petitioner did go on with the Inquest.

When your petitioner first received notice of the poor man's death, he told the messenger, there ought to be six debtors on the jury, and he requested the messenger to inform Mr. Merryweather of this circumstance. This information caused the gaoler to write down the names of six persons, whose names he gave to your petitioner on his arrival at the prison. When these name were called over in the chapel, many violent expressions came from Mr. Finnerty and his party; they said, the coroner had consulted with the gaoler, and had allowed him to name the jury. Mr. Samuel Horner, the foreman, proposed, that the six debtors, so named by the gaoler, should be discharged, and that the constable should warn six others. This was agreed to, and the jury sworn.

When giving his charge to the jury, your petitioner made use of very few words:— "Gentlemen, I will attend you to take a view of the body; we must then return to this "place, where such evidence will be produced, as will enable you, I hope, to return a just "and true verdict. If it should appear to you, that the said James Godfrey came to his "death through the ill-treatment of the gaoler, or any of his servants, your verdict ought "to be to that effect; if, on the contrary, you have cause to believe he died a natural death, "your verdict will be,—That he died by the visitation of God, in a natural way, and not "otherwise."

The parties before named now became more moderate, and nothing very unpleasant happened, until Mr. John Evans, the surgeon, gave his evidence. This gentleman acted as surgeon to the prison, in the place of Mr. Franklyn, who is the appointed surgeon. The said Mr. Evans, when examined by your petitioner, gave one part of his evidence in the following terms: "I was called upon this morning, exactly at the hour of five, and went "immediately to see the patient, meaning Godfrey; I found there was not any possibility "of recovery, as mortification of the gall duct had already taken place; and I do not "believe I could have been of any service, if I had been called sooner."—At the conclusion of this evidence, Mr. Finnerty called the witness a perjured fellow, and going close up to his face with clenched fists, threatened to knock him down.

Relative to Mr. Merryweather, the gaoler, he did not hint to your petitioner, in any terms, in what manner he wished to have the business conducted; and as to the town jurors, he did not know who were to be warned. When they attended at the prison, they did not go near the gaoler, and when discharged from their duty, they left the place immediately.

Your petitioner declares the foregoing statement, in every particular, to be just and true, and he humbly hopes you will cause the same to be placed amongst the records relative to the state and management of the County Prison at Lincoln.

(Signed) JOHN DRURY, Coroner.

(Copy.)

WE the undersigned, inhabitants of the parishes of Saint Mary Magdalene and Saint Paul, in the Bail of Lincoln, and jurors upon the aforesaid Inquest, do hereby declare, that the whole statement herein set forth by the Coroner, relative to the conduct of Mr. Langton, Mr. Finnerty, and Mr. Marris, in Court, is just and true. We further declare, that we sign this declaration without fear or favour, reward, or the hope thereof.

(Signed)

Samuel Horner,	*Dowager Brummitt,*
Wm Gazard,	*Thos Moore,*
Saml Stephenson,	*John Bradbury,*
Wm Harmston,	*Wm Anderton,*
Thos Perdue,	*John Lark.*

(I.)

William Hodson.

WILLIAM HODSON, of Lincoln, Sworn.

WHAT is your calling or profession?—I am a proctor.

Are you acquainted with the hand-writing of Mr. Drury the Coroner?—I am.

Look at the writing now produced, purporting to be an Inquest on the body of Robert Dowse, dated March 25, 1811, and signed "John Drury, Coroner;" is that of the proper hand-writing of John Drury?—It is.

(K.)

Joseph Green.

JOSEPH GREEN.

WERE you ever in confinement in Lincoln Castle?—Yes, for debt.

How long is it since you were released?—I have been out of prison five years.

Have you any complaint to make against the gaoler, or the treatment you met with in gaol?—Yes, I have.

What is the nature of your complaint?—I was put down into the refractory cell, and was kept there twenty-four hours, in the month of February; it was very cold, and my feet were so benumbed, that my toe nails came off.

What

Appx. (K.)

What was the cause of your being put down?—Because I was struck by a man who came from Boston.

Was there no other reason?—None that I know of.

How long were you ill with your toes?—A long time. *Joseph Green.*

Did you ask for any assistance?—No.

Did you not send for the doctor?—No.

Nor had any medical advice?—No.

Mr. John Merryweather.—He was put down for drunkenness; he was outrageously drunk, and kicked against the cell door all night, and the next day complained that his toes were sore.

QUESTIONS proposed to the Magistrates, and their Answers thereto. (L.)

IS Lincoln Castle the gaol for the county of Lincoln?—Yes.

Upon what tenure is the site upon which it stands, holden?—By lease from the Duchy Court of Lancaster, for thirty years, to trustees who are magistrates, at the annual rent of ten shillings.

At what period was the present Castle built?—The building commenced in 1786, and was completed in two or three years, at an expense of near ten thousand pounds.

Was the court-house, in which the assizes are held, and standing within the Castle walls, built at the same time?—The court-house was built prior to the gaol, but it has been newly fitted up; the visiting magistrates are of opinion, there requires an addition to its size, for the convenience of those who have business at the assizes.

What is the area of the ground within the boundary wall?—Six acres one rood and nineteen perches.

What portion of that land is occupied by the buildings, and the court-yards of the criminal prison?—One rood and twenty-nine perches.

What portion is allowed as an airing ground for the debtors?—One acre one rood and twenty-eight perches.

How is the remainder appropriated?—Three roods twenty eight perches for a garden, which the gaoler has the use of, but so fenced by open and low paling, as not at all to interfere with the circulation of air, or admittance of the sun into the area of the premises; the remaining space is used as a pasture, for the gaoler's cows, conformable to the rules of 1791. The milk is disposed of to the prisoners.

If that land which is now in grass, were converted into garden, would it not afford a source of healthy and productive employment for them?—It is the opinion of the visiting magistrates, there is no production it could afford, of equal and more nutritious benefit, than milk; and the quantity of ground would not furnish employment for any thing like the number of prisoners usually confined in this gaol, if it was converted into a garden.

Is there more than one Lord Lieutenant in the county of Lincoln?—No.

Is there more than one Commission of the Peace for this county?—There are three, for the three divisions of the county, Lindsey, Kesteven, and Holland. The gaol is situated in the division of Lindsey only. The expenses of the gaol are paid in the following proportions: Lindsey, seven fourteenths; Kesteven, four fourteenths; and Holland, three fourteenths.

Have the justices, in these several Commissions, a concurrent jurisdiction in the government of the county gaol?—They have not. In November 1808, a Bill was brought into Parliament, to give the magistrates at large a concurrent jurisdiction; but in consequence of the opposition of the magistrates for Holland, the Bill was withdrawn.

Can the justices for those divisions, in which the county gaol is not situated, legally hold a sessions within the precincts of the county gaol?—In the opinion of the visiting magistrates, they cannot.

Would it not be desirable, that such a power should be obtained, for producing co-operation, and concentrating the talents and authority of all the justices acting for this county?—Certainly.

Have any rules been established for the government of this prison?—Yes, at a Gener Sessions for the Parts of Lindsey, held the third of July 1812, and approved by the judges of assize, the eleventh of July 1812, which are attached to these answers.

By what rules was the gaol governed, before these were established?—By rules established, printed, and acted upon, ever since the year 1790, but revised in 1791, by meetings of the magistrates of the three divisions of the county, of which Sir Joseph Banks was chairman. A general annual meeting of the magistrates of the three divisions, is held at the gaol in the month of September.

Were these established by the Quarter Sessions?—They were.

Were they approved by the judges?—No.

Have visiting justices been appointed, pursuant to the Act of the 31st Geo. III. cap. 46. sect. 5?—Yes, from the parts of Lindsey only.

How many, and what are their names?—Charles Chaplin, M. P. Richard Ellison, M. P. Caley Illingworth, Doctor in Divinity; John Cracroft, Francis Chaplin, Henry Hutton, Charles White, Esquires; John Nelson, and Edward Bromhead, Clerks.

Do they "personally visit and inspect the gaol;" how often, and at what time of the day?—The gaol has been personally visited, more frequently than the Act of Parliament

Appx. (L.)

directs. No particular hour has been appointed for the inspection of the magistrates; but they have generally attended between the hours of three and four o'clock, when the business of the justice room is finished, with the exception of the last eight or ten months, in consequence of a difference between the sheriff and the magistrates, as to their respective powers.

Do they "examine into the state of the buildings, the behaviour and conduct of the "respective officers, and the treatment and condition of the prisoners, the amount of their "earnings, and the expenses attending this prison?—If any immediate repair is wanted, the visiting magistrates have ordered it; if any complaint is made respectfully, they have attended to it. Their woollen manufactory for the employment of prisoners, is in their Houses of Correction, not in this gaol; the expenses of the prison are not submitted to the visiting magistrates, but to the general annual meeting in September.

Have any matters of pressing necessity occurred in the discharge of your duty?—There have; and we beg leave to subjoin our recorded opinion of one principal complaint in Dyson's case. We had complaints against the gaoler in 1800, for charging too much for the hire of bedding. Our decision was founded in favour of the gaoler's charge, on reference to Mr. Nield's book on prisons, where it appeared, the charge allowed in the majority of gaols there reported, exceeded in price what the Lincoln gaoler demanded. Another enquiry related to Mr. Marris, when charges were preferred against him for promoting drunkenness and insubordination in the gaol. This enquiry terminated, on Mr. Marris stating, that from a fall from his horse, he had been subject at times to a suspension of the power of doing any business, and Mr. Marris, in the opinion of the magistrates, was considered blamable. He also addressed the magistrates in an indecorous and threatening manner, which they attributed to the effect of his accident. He was not punished.

Have you, in such matters, when within the power of your Commission as justices, taken cognizance thereon, and proceeded to regulate and redress the same?—When there appeared ground enough for our interference on distinct charges; but we have frequently shut our ears to complaints made against the gaoler or the prisoners, when they appeared trifling, or did not seem to call for direct interference.

Have you "at every General or Quarter Sessions of the Peace respectively, made a report "in writing, of the state and condition of the gaol, and of all abuses which may have "occurred to your observation therein?"—It has not been our custom to report, nor could we legally do it to all the Quarter Sessions.

Has the "chairman of the Quarter Sessions, as required by the Act, called upon the "visitors for such report?"—He has not.

Has any justice of the peace for either of the said divisions, "of his own accord, and "without being appointed a visitor, entered into and examined the gaol at such time or "times as he may have thought fit; and has he reported any abuses in this gaol in writing, "to the then next Sessions of the Peace?"—The gaol has been visited at different times by several magistrates, but the visiting magistrates remember no instance of a report of abuses made to the Quarter Sessions. They do not recollect complaints being made by any magistrate, with the exception of George Langton, Esquire; but he has been so much in the habit of dining and drinking with some of the prisoners, and continuing with them to a late hour; of sanctioning the introduction of spirituous liquors, and transgressing himself the rules acted upon by the visiting magistrates, that they have been compelled to consider him as one of the principal encouragers of insubordination and bad regulation in the prison, instead of the reformer of its abuses. The visiting magistrates are able to add a document of the proceedings of an adjourned Quarter Sessions attended by twelve magistrates, on the first of May 1812, to revise the rules, and to consider of any complaints that might exist in the gaol, when Mr. Langton declared himself satisfied with the rules then revised, and the examinations and enquiry which took place.

Has any such justice reported any such abuses in writing, to the visiting justices, or made any entry concerning the same, in any book kept at the gaol?—No.

Do the visiting justices enter their observations in any book; and is a book kept at the prison for such purpose?—The visiting magistrates keep a book for the entry of their orders, at the prison; but they have not been in the habit of entering memorandums where no punishment or judicial act has been the consequence of their enquiry, or subjects they did not consider of sufficient importance to be recorded.

Do you, on observing, or being satisfactorily informed of any extraordinary diligence or merit in any of the offenders under your inspection, report the same to the judges at the assize, for the recommendation of such offender to the Royal mercy, agreeably to the Act of the 31st of the present reign?—We have, in a few instances.

Do you enquire and determine upon all offences reported to you, according to the statutes?—Whenever we are of opinion the report requires our interference.

Are you authorized by the Quarter Sessions, to expend any sum of money in religious books; if you are, what sum do you expend?—Religious books have been provided and distributed at the discretion of the chaplain: such order has generally been made at the annual meeting in September.

Do you appoint the officers acting under the gaoler; or do you examine the capacity and qualifications of such officers for discharging the duties of their situations?—By an agreement entered into with the gaoler, he is allowed to provide his own officers.

Has a chaplain been appointed?—A chaplain has been appointed by the annual meeting of

of the magistrates; and the visiting magistrates are glad of this opportunity to record their high sense of his regular and pious discharge of his duty in the gaol. Appx. (L.)

Has a surgeon been appointed?—Yes; whose conduct and attention is perfectly to the satisfaction of the visiting magistrates.

Do the justices enquire from time to time concerning gifts and bequests to poor prisoners; and do they send for papers and witnesses, and examine persons upon oath, and order and settle the payment thereof in an easy and expeditious way?—32 Geo. II. cap. 28. sect. 9.—No instance has occurred where they have deemed it necessary, except in Mrs. Hussey's case, which was done at the annual meeting of the magistrates in 1791. Vide the order in the grand jury book.

THE Visiting Magistrates, in concluding their Answers to the Queries the Commissioners have thought proper to submit to them, beg permission to state their high sense and opinion of the good effects likely to be produced from the object of their enquiry into the state of Lincoln Gaol. It has afforded the visiting magistrates great satisfaction in having the whole matter of complaint investigated by Commissioners so totally unconnected with the county of Lincoln, as to leave no possible doubt of previous acquaintance or connection being likely to influence their free and unbiassed opinion on the charges and complaints alleged against the visiting magistrates. (M.)

The answer of the visiting magistrates to the whole of the statements, which at all affect them, is founded on the broad basis, that although it may be a fact, that in political principles they differ from Mr. Finnerty, such difference could never be allowed in the slightest degree to influence their conduct on this or any occasion. However strongly the visiting magistrates feel the necessity of supporting the gaoler while acting with propriety, they beg leave decidedly to disavow their intention of sanctioning or palliating any misconduct the Commissioners may think he has been guilty of in his situation.

The documents delivered in must go strongly to prove that the visiting magistrates paid an early and humane attention to the state of Mr. Finnerty's health and convenience: in regard to the ward Mr. Finnerty was confined in, it was incompetent to the visiting magistrates to appropriate a part, which was not strictly the Crown side of the prison, to Mr. Finnerty's accommodation, consistently with the rules which, although informal, had been constantly acted upon in the prison: this point is strengthened by a communication having been made in September 1811, from the annual meeting of the magistrates, that if there was any room on the crown side of the prison, more suitable to Mr. Finnerty's wish, that he should be allowed it; but he could not be allowed an apartment on the debtors side of the gaol. In regard to the enquiry, which was the cause of Mr. Finnerty's being abridged his indulgences, the depositions of Wm. Tuxforth, Eliz. Barton, Rebecca Stevenson, and John Goodwin, are the grounds on which the magistrates acted. The strong representations which were made in the House of Commons, and a doubt existing in the minds even of high and respectable lawyers, as to the competency of the magistracy to the superintendence of the county gaol, and the sheriff acting upon such doubt, were the inducement of the visiting magistrates to avoid interfering in the gaol; and the neglect of such interference has, in the opinion of the visiting magistrates, much increased the disorder and the irregularity in the gaol; nor can they at all consider themselves as responsible for its state, until a formal opinion on the amount of their power was communicated to the magistrates of Lindsey, in sessions, from the Secretary of State and Sir Thomas Plumer.

In every complaint that has been made against the visiting magistrates, by George Langton, Esquire, and others, who have accused the visiting magistrates with being extremely inattentive to the complaints of the prisoners, the visiting magistrates beg permission to observe, that wherever such complaints appeared to them of sufficient moment, they have heard them, and decided to the best of their judgment on the existing circumstances.

(Signed) *Henry Hutton*, *Francis Chaplin*,
Caley Illingworth, *John Nelson*.
Charles White,

QUESTIONS proposed to the Chaplain, with his Answers thereto. (N.)

WHAT is your name, Sir?—George Davies Kent.

Are you the Chaplain of this prison?—Yes.

When were you appointed?—September 11th, 1800.

What salary is allowed you?—£. 50. per annum.

Do you read prayers in the chapel according to the use and order of the Church of England, and how often?—I read in the chapel, by and with the approbation of the Lord Bishop of the diocese, and the magistrates of the three divisions of the county, Bowen's form of prayer for the use of prisoners, with proper psalms and lessons selected from the Liturgy of the Church of England; divine service three days in the week.

Do you preach sermons, and how frequently?—A sermon every Sunday, and on the day before an execution.

Do you administer the sacrament, and how often?—There is no regular fixed time for administering the sacrament; it is always administered on the morning of an execution, and at any other time, when either the debtors or criminals request it.

At

Appx. (N.)

At what hours do you perform divine service?—On Sunday, generally a quarter before ten o'clock; on Wednesday and Saturday, at twelve o'clock.

In case of sickness or occasional absence, do you appoint a deputy, and is he approved by the visiting justices?—In case of sickness or occasional absence, I appoint a clergyman of the Established Church, but do not apply to the visiting justices for their approbation.

Do you visit every prisoner who desires your spiritual advice and assistance?—I do.

Do you impart suitable admonition and religious instruction to prisoners individually, and particularly to those who have been guilty of criminal offences, or who are confined in solitude?—I impart to all the prisoners, both collectively and individually, suitable admonition and religious instruction; condemned prisoners I visit twice at least every day, and attend them to the place of execution.

Do you distribute among the prisoners religious books or tracts, provided for their edification?—I distribute, at my discretion, to the prisoners, bibles, prayer-books, and religious tracts, from the Society for promoting Christian Knowledge; to the transports, on their leaving the prison, I generally give a bible and a prayer-book; I am allowed by the county £.5. per annum to purchase religious books.

Do you enter in any book the days and hours of your attendance, and such observations as generally occur to you in the execution of your duty?—I do not enter in any book the days and hours of my attendance, but there is a chaplain's book, in which I make such observations as may occur to me in the execution of my duty.

Do the governor and the inferior officers regularly attend the chapel during divine service?—The governor does not always attend, but frequently the inferior officers regularly.

Do the debtors and criminal prisoners regularly attend?—The debtors used to attend irregularly, which occasioned the magistrates to make an order that the county allowance should be given out immediately after divine service to such certificated debtors as attended regularly and orderly: this order does not extend to any person who is not a member of the Established Church.

The criminal prisoners, regularly, with the exception of one or two under peculiar circumstances.

(O.)

QUESTIONS proposed to the Surgeon, and his Answers thereto.

WHAT is your name, Sir?—James Edmund Franklyn.

Are you the Surgeon of this prison, and when were you appointed?—Yes; I received an appointment from the visiting magistrates, the 7th of December 1810; which appointment was confirmed by the next annual meeting of magistrates for the county of Lincoln.

Are you also an apothecary and man-midwife?—Yes.

Do you receive a salary, or make a bill?—I receive a salary of thirty pounds a year.

What prisoners do you attend for this salary?—All the crown prisoners and certificated debtors.

Do you visit, once in very day, each of the patients under your care and on the sick list?—Yes, if in the town, or else some assistant supplies my absence.

Do you enter in any journal kept at the prison, the day of each visit?—I do not; no such book has been made use of here.

Do you enter in any book, the name of every prisoner under your care, the disease, the day when placed on the sick list, and when discharged?—No; give such verbal directions from time to time as appears necessary.

Do you enquire into the state of every sick person's body and mind; and when you have reason to believe that the one or the other is injuriously affected by the discipline or diet of the prison, do you inform the keeper of the same, and desire him to suspend the discipline, or vary the diet of such prisoner, according to your instructions?—I do.

Do you specify in writing, what additional bedding, clothing, food, or liquor, you deem necessary for re-establishing and continuing the health, when restored, of every prisoner entrusted to your care?—Not in writing, but give verbal orders when I see it necessary.

Are your directions, so delivered, admitted as a full justification to the keeper for such alterations, until the visiting justices shall have considered the case?—They are.

Do you execute the duties of your office in person, and attend without delay, on notice from the governor, of any sickness, or of any new commitment that may require the examination of a prisoner before he is passed into the wards of the prison?—I execute the duties of my office in person; but not always on new commitments, unless desired by the keeper.

Do you, when prevented from attending, provide a proper substitute?—I do.

(P.)

QUESTIONS proposed to the Gaoler, and his Answers thereto.

What is your name?—John Merryweather.

Are you the Keeper of the gaol for the county of Lincoln?—I am.

When

Appx. (P.)

When were you first appointed in?—12th January 1799.

What was your salary at the time of your appointment?—Three hundred pounds per annum.

What is your present salary?—The same.

To what deductions is this salary liable?—To the charge of finding two turnkeys at the least; a caterer, to purchase twice a day in the town, such provisions as all the prisoners may require; four chaldrons of coals for the debtors, and four chaldrons of coals for the crown prisoners, annually; and which are distributed among them half-quarterly, with such straw, mops, brooms, tubs, buckets, &c. as may be wanted for the use of the gaol.

What fees or perquisites are received by you or your turnkeys, from the prisoners or others?—There are no prison fees, either on receipt or discharge of any prisoner, allowed or received by either gaoler or turnkeys. A discharge fee of six shillings and eight-pence is paid by every debtor on his liberation, to the under-sheriff, which is received by the gaoler, and accounted for to the sheriff.

Has "any table of fees or rates, to be taken by you as gaoler, regulated and settled by the "justices in sessions," pursuant to the Statute 31 Geo. III. cap. 46. sect. 15?—There is no table of fees; none being allowed.

What is the table of fees so regulated?—None.

Has any "addition been made at any time to your salary, by way of recompence for any "diminution of emolument, by means of any such regulated table of fees?"—None.

Do you give any, and what security to the sheriff, for the safe custody of debtors?—Enter into a bond to every new sheriff, with two good and sufficient sureties in the sum of four thousand pounds, for performing the several covenants of such bond.

Did you give "any and what security for the performance of the duties of your office, to "any person or persons appointed by the justices at the General or Quarter Sessions," according to Statute 31 Geo. III. cap. 46. sect. 1?—I do not.

In hearing complaints, and examining offences committed by the prisoners, what punishments do your impose, distinguishing between debtors and criminal prisoners?—In the case of debtors, for repeated drunkenness, fighting, and disorderly behaviour, they are either placed by me in the refractory ward appointed for that purpose, or I inform a visiting magistrate of it, and take his direction thereon. In the case of Allen, which has come before you, his conduct, together with another debtor of the name of Hewill, had been so very drunken and disorderly for a length of time, that they even boasted to the turnkey, he dare not attempt to confine them, on account of their superior strength. The lengths they at last proceeded to, compelled him, on the complaint of several respectable debtors, to confine him; and, in doing his duty, he was considerably injured, and a new shirt and waistcoat literally torn to pieces: I mention this in the hope that you will not deem the imprisonment he underwent of too long continuance for his offence. The assault he committed on the turnkey, was a most violent one. Any misconduct among the crown prisoners is punished by temporary separation from the other prisoners; if in attempting to escape, with heavier irons, if deemed necessary to their security.

Do you hear the party accused, before you adjudge any punishment?—I do.

Do you enter in a book kept by you for the inspection of the justices, the name of every person so punished, with the nature and duration of the offence?—No such book has been ever kept, either by me or my predecessor; would be directly done, if ordered by the visiting magistrates.

In case of the repetition of such offences, or in cases of offences more enormous, which you are not by law empowered to punish, do you report the same to the visiting justices, and act under their directions?—I do.

Do you keep a journal, and record therein the daily transactions and occurrences of the prison?—No such book has been ever kept.

Do you keep a register, "Specifying the names of all and every person or persons in "your custody, the offences of which they have been guilty, the Court before which "each person was convicted; the sentence of the Court, if tried and convicted before any "Court of Record; or if committed by a justice or justices of the peace, do you then name "the justice or justices before whom such person or persons was or were convicted; the age, "bodily estate and behaviour of every such convict;" agreeably to the Statute 31st Geo. III. cap. 46. sect. 8?—A separate register book for debtors and crown prisoners is kept, in which columns all the above entries are made.

Do you at all times exert your utmost vigilance to prevent any person or persons supplying the prisoners with any articles, matter, or thing, from practising any fraudulent or collusive impositions?—I do, to the best of my ability.

Are you concerned, directly or indirectly, in any occupation or employment requiring your personal attendance without the walls of the prison?—None whatever.

Do you see every prisoner at least once in every twenty-four hours; do you attend the chapel with the prisoners; do you see the county allowance of bread duly delivered every day to every prisoner entitled thereto; do you observe whether the prisoners have properly made their beds and cleaned their cells; and do you examine whether any attempts to escape have been made?—The debtors having the privilege of the area in the front of the prison, have at all times of the day access to me. The crown prisoners I do not always see every twenty-four hours. I am daily about the prison, and if informed of any of them wanting me, always see them. Regularly attend the chapel on Sundays, frequently on week days. In my absence, my father, as my deputy, attends for me; turnkeys always present. The prisoners are required to make their beds and clean their night-rooms, before they are

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placed in the day wards. Frequent examinations of both prisoners and the prison take place, to prevent escapes.

Do you at all times freely permit any prisoner who may think himself aggrieved by you, or by any other person, in matters relating to the prison, to transmit in writing, to the visiting justices, such complaint as he may be disposed to prefer?—I have never prevented any prisoner from complaining, if they wanted.

When a prisoner dies, do you apply to the coroner to hold an inquest upon the dead body, and to select, without favour or influence, six prisoners, to constitute a part of the jury?—I inform the coroner, and never attempt to influence the six prisoners required to constitute a part of the jury.

Are you a married or a single man?—Single.

By whom are the female prisoners attended, in case of sickness?—By the other female prisoners, if there are any; if there are none, then by some proper person to take care of them, under the direction of the surgeon.

By whom are the turnkeys appointed; are they approved by the visiting justices, and have you power to dismiss them?—The turnkeys are provided by me; I employ and dismiss them as I do my other servants; the visiting magistrates have never given any directions in their appointment.

How are they paid?—They are not permitted to be interested in the sale of any articles in the prison; they are permitted to accept any present from any persons coming on business or otherwise to the prison, beyond which, I have to recompense them.

State how many prisoners are confined at this time, charged with or convicted of criminal offences, distinguishing males and females.—There are nineteen in the crown prison; viz. one male lunatic, eight males under sentence of transportation; one male, eighteen months imprisonment for horse-stealing; one male, eighteen months imprisonment for a libel; one male, six months imprisonment for uttering base coin; two males, for desertion; one male, for trial for forgery; and three, for trial for house-breaking; one female for trial for murder of bastard child.

What allowance of food is given by the county to each; and at what times is it delivered?—One and a half pound of bread daily, delivered in the following manner; a loaf each on Sunday, Wednesday, and Friday mornings; weight, six pound three ounces and a half; and on the Friday, one pound of good beef without bone.

Are soap or towels allowed?—None.

Are the prisoners employed, and how?—31 Geo. III. cap. 46. sect. 12.—There is no manufactory or employment furnished by the county; such of the prisoners as can be best trusted, are, with the approbation of the visiting magistrates, employed in any way they can, in cleaning, repairing, or doing any thing there is to do within the Castle, and by which they get additional air and exercise.

Is any portion of their earnings allowed them, and how is it paid?—Not being employed on profitable labour, none.

When a prisoner is discharged, is any allowance made, for enabling him to return home?—None.

Is the washing performed by the female prisoners?—The female prisoners are permitted to wash, not only for crown prisoners, but for the debtors also, when they can obtain it; and in that case, receive the whole of their earnings.

What clothing is allowed by the county?—31 Geo. III. cap. 46. sect. 13.—No clothing is furnished by the county to any but convicted prisoners, who wear a county dress of drab and blue cloth.

What bedsteads and bedding are allowed by the county?—Wooden bedsteads, bedding, straw in sacking, with a rug and three blankets to each bed.

Are the prisoners supplied with water?—Laid on into every day-room from a reservoir.

Are scales, weights, and measures allowed for their use by the county?—Yes.

How many debtors have you at present in custody, distinguishing males from females?—Fifty-three males, and four female debtors.

What food is allowed them by the county?—Three loaves of household bread of three pounds and a half each, delivered to those debtors who are certificated, on Sunday, Wednesday, and Friday mornings. The Sunday and Wednesday delivery immediately after Divine Service, and to those only who attend chapel decently and orderly. On the Friday also, one pound of good beef, without bone, to each.

Are they "allowed, at their will and pleasure, to send for, or to have brought to them, at "seasonable times in the day time, any beer, ale, victuals, or other necessary food, from what "place they think fit, or can have the same; and also, to have and use such bedding, linen, "and other necessaries as they shall have occasion for and think fit, or supplied with, without purloining or detaining the same, or requiring them to pay for the having or using "thereof, or putting any manner of restraint or difficulty upon them in relation thereunto?"—32 Geo. II. cap. 28. sect. 4.—They are only limited, as to the quantity of liquor, by the rules of the prison.

Are "separate and distinct places of confinement, with dry and airy cells, provided, in "which the several prisoners, of the following descriptions respectively, may be confined, as "well by day as by night, namely; prisoners charged with or convicted of felony; prisoners "committed for, or adjudged to be guilty of misdemeanors only, and debtors?"—24 Geo. III. cap. 54. Sessions 2d, sect. 4.—Yes, as far as relates to the males; females cannot be so separated, having only one ward for those for trial and convicted.

Are "the males of each class separated from the females?"—They are.

Is a "separate place of confinement provided for such prisoners as are intended to be "examined as witnesses on behalf of any prosecution or indictment for felony?"—There is no such ward.

Are

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Are "persons under sentence of transportation while they continue in the gaol, kept "separate, as far as conveniently may be, from every person in custody, except prisoners "convicted of felony?"—31 Geo. III. cap. 46.—The males are; females cannot, having only one ward for them.

State the number of day rooms, sleeping-cells, and yards respectively, assigned to each class; and specify whether any prisoners sleep on the ground-floor; and whether more than one prisoner sleeps in the same apartment?—The crown prison contains on the ground-floor, one day-room and court-yard for men convicted of felony; one other day-room and court-yard for males committed on suspicion of felony; one other large day-room and court-yard for males committed on suspicion of, or adjudged guilty of misdemeanors; one other day room with court-yard, containing wash-house, and hard and soft water pumps, for all descriptions of females: there are nine sleeping-cells on the ground-floor for felons; six of them for single men, and the remaining three larger to contain from two to three men each, when the number of prisoners in custody require it. Beyond these cells are four day-rooms, with court-yards adjoining, one for refractory debtors, the other three for small offenders, deserters, &c.; over these four day-rooms is the chapel; the upper story contains two larger rooms, as sick rooms for male and female prisoners, and seven other sleeping-rooms for females and misdemeanors. There is also a turnkey's night-room on the same floor in the body of the prison. The felons night cells on ground floor have wood shutters to keep out the cold; the upper cells have all glass windows.

The debtors prison contains on the ground floor, four day-rooms for male debtors; on the first story, five sleeping-rooms; and on the second story, five other sleeping-rooms for male debtors; there are two attic rooms over gaoler's apartments, as a day and night-room for female debtors.

Are "separate infirmaries or sick wards, for the men and for the women, provided?"—Is there "a chapel provided?"—There is, with suitable separations for debtors and crown prisoners.

Are "convenient warm and cold baths provided?"—There are very good ones.

Is "care taken that prisoners shall not be kept in any apartment under ground?"—There is no cell, day-room, or court-yard, that is not above the level of the adjoining ground.

Are "the walls and ceilings of cells of the gaol scraped and white-washed once in the "year at least?"—14 Geo. III. cap. 59.—The whole of the prison is white-washed once a year preceding the Lent Assizes. The day-rooms are white-washed twice, and sometimes more, in the year.

Are "the cells kept clean?"—They are.

Are "they supplied with fresh air, by ventilation or otherwise?"—The whole prison is well ventilated.

Is "the Act 14 Geo. III. cap. 59. hung up in some conspicuous part of the gaol?"—Conspicuously put up in the principal entrance passage.

Do you "sell, lend, use, give away, or suffer spirituous liquors within the gaol?"—24 Geo. II. cap. 40.—I do not.

Are the clauses "13th, 14th, 15th of the Statute 24 Geo. II. cap. 40. hung up in the gaol?"—Conspicuously put up in the principal entrance passage.

Are "boxes fixed in some conspicuous part of the gaol, to receive charitable donations "for debtors and criminal prisoners respectively?" Ibid. sect. 10.—There are, within the second entrance gate at the lodge.

Are "the benefactions for the use of prisoners, registered by the clerk of the peace; and "is a table of them hung and kept up in some conspicuous place in the gaol, where the "prisoners may have easy resort thereto, without fee?"—32 Geo. II. cap 28.—I do not know that they are registered by the clerk of the peace; no table of them is hung up in the prison.

Are "the Rules, Regulations, and Orders for the government of the prison," hung up in some conspicuous part of every ward in the prison?—They are conspicuously put up in the principal entrance passage.

(Q.)

Copy of the RESOLUTIONS agreed to at a Meeting of the Magistrates of the Three Divisions of the county of Lincoln; held at the Castle of Lincoln, on the 7th and 11th of September 1790:—Also,

A Copy of the RESOLUTIONS, &c. agreed to at a Meeting of the Magistrates of the Three Divisions of the county of Lincoln; held at the Castle of Lincoln, on the 6th and 7th of September 1791.

Lincolnshire.—AT a Meeting of the Magistrates of the three divisions of the county of Lincoln, held at the Castle of Lincoln in the said county, on Tuesday the seventh day of September 1790, pursuant to public notice for that purpose given in the Stamford Mercury and York Courant; Present, Sir Joseph Banks, Baronet, Chairman; John Harrison, Thomas Coltman, Richard Ellison, junior, Henry Hutton, Edmund Turner, junior, Humphrey Sibthorpe, junior, and George Uppleby, Esquires; Charles Weston, Reynold Gideon Bouyer, and Caley Illingworth, Clerks: And continued and holden by adjournment, at the said Castle of Lincoln, on Saturday the eleventh day of the same September; Present, Sir Joseph Banks, Baronet, Chairman; John Harrison, Richard Ellison, junior and Humphrey Sibthorpe, junior, Esquires; and Caley Illingworth, Clerk:—

The

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The following Rules, Orders, Regulations, Allowances, and Resolutions, were agreed to and recommended to the magistrates of each of the three divisions of the county, to be by them adopted and carried into execution for the improvement of the gaol, and better management of the officers thereof, and prisoners confined therein; viz.

RULES, ORDERS, REGULATIONS, and ALLOWANCES, for the Officers of His Majesty's gaol the Castle of Lincoln.

That the justice of the peace for the time being, acting for any of the three divisions of the county, be visitors; and that the officers apply to them, when any difficulties arise.

GAOLER'S DUTY and POWERS.

To keep the debtors on one side of the gaol, and the criminals on the other; to keep the greater and lesser criminals separate; and to permit only one division of the prisoners to be in one airing yard at the same time.

To

To keep Two Register Books,

GAOL REGIS-

A LIST of PRISONERS who have been received in LINCOLN GAOL, between

No.	When committed.	Name.	DESCRIPTIONS. Age.	Stature.	Complexion	Where born.	Single or married.	No. of Children.	If maimed, or otherwise particularly marked.	Profession

Debtors.

CHAPEL BOOK for the

Dates.	No.	Names of such as receive County Allowance.	Names of such as attend Chapel.	Names of such as do not attend Chapel.
Fines.				
Felons.				

To take especial care that the Rules, Orders, and Regulations established for debtors and felons confined in Lincoln Gaol, are strictly observed by them; and to give immediate notice to a visitor, in case they should be disobeyed after the punishments thereby directed, have been inflicted.

To take care that no person is permitted to go into the Castle, except a magistrate of some one of the divisions of the county, the sheriff or his officers, without a written order from a visitor, or the chaplain; and that no person transact business with a debtor or felon, but in the gaoler's house, or in his presence, or in the presence of a turnkey.

To take care that the turnkeys are every night in the rooms prepared for them in the body of the Castle; and that a turnkey do call over the names of the prisoners every day at the time of unlocking in the morning after chapel, and locking-up time at night.

To file all such orders as he shall receive from any of the visitors, or from the chaplain, admitting persons to see criminals in his house.

To

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To keep the women at all times separate from the men; to give daily personal attendance on the debtors and criminals; not to be absent from his house for more than one night without the permission of a visitor; and constantly to attend divine service, when not prevented by sickness or necessary absence.

To keep a proper person to go twice a day into the town, to purchase such provisions and liquors as are allowed by the rules of the gaol; and to examine the quality and price of the provisions and liquors so purchased; and also to inspect all the articles which may be sent to the gaol for the use of the debtors and criminals.

To provide and keep in order, at the expense of the county, legal scales, weights, and liquor measures, for the free use of all the persons confined; to procure also a bell, to give notice of the hour of prayer and the time of locking up.

To provide, at the like expense, irons and fire-arms, which are to be kept in proper order for immediate use, in case of disturbances; and if he finds it necessary to employ unusual severity with any of the prisones, to give notice thereof in writing, within 48 hours, to one of the visitors, describing the offence and the nature of the punishment.

in the following Forms:—

TER BOOK.

the day of and the day of

By whom committed.	Crime.	When tried.	By whom.	Original Sentence.	Present Sentence.	When carried into execution.	Behaviour.	Remarks.

CASTLE of LINCOLN.

Reasons why not.	General Behaviour.	General Observations on the Gaol, Gaoler, Turnkeys, and Servants.
		There is no just reason of complaint. *J. Williams.*

To enter into a book, all incidental charges and expenses that shall from time to time occur; which book shall be open at all times to the inspection of any of the visitors.

To transmit to the several clerks of the peace, at every original Quarter Sessions of the Peace to be held for each of the three divisions, fair copies of all incidental expenses incurred in the quarter preceding such sessions, and made up as near thereto as may be; and that he do lay such accounts, with all receipts and vouchers necessary to establish the same, before the justices present at each assize.

GAOLER'S ALLOWANCES.

To be allowed £. 200 a year from the first of January 1791, eight chaldrons of coals yearly, for the use of the felons and poor debtors, and the use of the house, Castle-yard, and gardens belonging to the Castle (free from land-tax, out-rents and exhibition money to the King's Bench and Marshalsea, which are to be paid by the county), he providing at his own charge three turnkeys at the least, and sufficient pots, buckets, bowls, tubs and straw, for the use of the gaol; and entering into a bond in the penalty of £. 200 to the

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clerks of the peace for the three divisions, to be forfeited if he shall be convicted, to the satisfaction of the justices of the peace in Quarter Sessions assembled, of having directly or indirectly, by himself, or through the turnkeys or others, sold, or been concerned in selling, any beer, wine, spirits, victuals, clothes, or other article, to any of the debtors or felons.

CHAPLAIN.

To be allowed fifty pounds a year.

To read prayers in the chapel every morning; and to deliver a sermon after prayers on a Sunday, or once a week at least.

To visit all the cells, and examine the state of the prisoners, not less than three times a week; and to attend all criminals under sentence of death, and at the place of execution.

To fill up the last column in the chapel book, and sign the same every Sunday.

SURGEON.

To be allowed £.20 a year, and to find medicines.

To examine every debtor and felon on their first admittance.

To attend personally the convicts, felons, and poor debtors, when required.

To visit and examine the prisoners once a week at least, or oftener if necessary.

To transmit to each original Quarter Sessions to be held for each of the three divisions, a report in writing, signed by himself, of the number of patients confined in the gaol, and the state of the health of each.

TURNKEYS.

Not to sell, or be interested in selling, any provisions, necessaries or liquors, on pain of immediate dismission.

On no pretence to sleep out of the rooms provided for them in the body of the gaol.

To call over the names of the prisoners every day at the time of unlocking in the morning after chapel, and at locking-up time at night.

To observe that the debtors and felons keep the common rooms and their cells clean; and that by turns they pump water for the gaol, as may be ordered by the gaoler.

RULES, ORDERS, and REGULATIONS established for the Prisoners confined in Lincoln Gaol; which are to be strictly observed and followed, on pain of being punished.

The justices of the peace for the time being, acting for any of the three divisions of the county, to be visitors.

No garnish, fee, or exaction at entrance, during the time of confinement, or on discharge of any prisoner, to be paid or taken; each person in health to be obliged to wash himself every morning at the sink, and be decently dressed before the hour of prayer, and regularly attend divine service.

Each person to be obliged to sweep his cell every day, and wash it once a week, or oftener, if required; and by turns to clean the common room, and pump water for the use of their division of the gaol, as the gaoler shall appoint.

No abuse, ill-treatment, quarrelling, or affray, cursing, swearing, obscene, or indecent language, gaming by dice, or cards, or other methods whatsoever, to be permitted.

No criminal to have any communication, by writing or conversation, with the debtors.

No more than one felon to be admitted at the same time to transact business in the gaoler's house.

PRIVILEGES and ALLOWANCES for the Prisoners in Lincoln Gaol.

The gaoler is to provide a proper person to go into the town twice a day to purchase such necessaries or provisions (not liquors) as the prisoners can pay for, which he is to inspect previous to delivery; and to permit any necessaries or provisions, (after inspection) to be received, which may be sent to the prisoners.

The gaoler is to provide and keep in order, legal scales and weights, for the free use of the prisoners.

One pound and a half of good household bread per day, and one pound of beef per week, is to be allowed to each prisoner, at the expense of the county; the bread to be delivered the day after it is baked, and weighed in his presence, if he desires it.

No liquors to be allowed to the prisoners, except in cases of sickness, when the surgeon is to direct the quality and quantity of such liquor, to be taken in his presence.

The prisoners are to be allowed to see their friends in the gaoler's house, by procuring an order for that purpose from a visitor or the chaplain.

The gaoler or turnkeys are not to be anyways interested in the sale of provisions or necessaries.

The gaoler is allowed eight chaldrons of coals, at the expense of the county, for the use of the felons and poor debtors.

RULES, ORDERS, and REGULATIONS established for persons confined in Lincoln Gaol for debt; which are to be strictly observed and followed by every Debtor, on pain of being punished by close confinement; which Punishment the Gaoler has full authority to inflict.

The justices of the peace for the time being, acting for any of the three divisions of the county, to be visitors.

No

No garnish, fee, rent, or other exaction at entrance, during confinement, or on discharge, to be paid or taken.

Each debtor in health regularly to attend divine service in the chapel, clean and decently dressed; sweep his room every day, and wash it once a week, or oftener if required; and by turns clean the common rooms, and pump water for the use of their division of the gaol, as the gaoler shall appoint.

Each debtor to keep the door of his room open in the day time; and not to destroy the mops and brooms, or other articles allowed.

No abuse, ill treatment, quarrelling, or affray, cursing, swearing, obscene or indecent language, gaming by dice, cards, or any other method whatever, to be permitted.

No debtor to have any communication, by writing or conversation, with any of the felons.

No debtor to be allowed to drink any wine or beer in the gaoler's house.

No more than one debtor to be admitted at the same time, to transact business in the gaoler's house.

ALLOWANCES and PRIVILEGES to Persons confined in Lincoln Gaol for debt.

The gaoler is to provide a proper person, to go into the town twice a day, to purchase for the debtors such necessaries, provisions, or liquors, not exceeding one pint of wine and one quart of strong beer in 24 hours, for each person, as they have money to pay for; which he is to inspect, previous to delivery; and to permit (after inspection) any necessaries, provisions, or liquors, not exceeding the above quantities, to be received, which may be sent to them.

No spirituous liquors to be allowed.

The gaoler or turnkeys not to be anyways interested in the sale of necessaries, provisions, or liquors.

The gaoler is to provide and keep in order legal scales, weights and liquor measures, for the free use of all the debtors.

The debtors are permitted to see their friends in the gaoler's house, in his presence, or in the presence of one of the turnkeys.

The money given in charity for the debtors, to be distributed in weekly payments, to the poor debtors only; and if any disagreement arise, respecting the persons who are to be esteemed poor debtors, a visitor to settle it.

The poor debtors only to be attended by the surgeon free of expense.

Each of such debtors to have the same allowance of bread and beef, at the expense of the county, from the time of his commitment, until such time as he shall become entitled to his groats from the creditor, at whose suit he is committed, as is given to the other prisoners confined in the gaol.

The gaoler is allowed eight chaldrons of coals, at the expense, of the county, for the use of the felons and poor debtors.

RESOLUTIONS.

THAT the chairman be requested to present the thanks of this meeting to the Reverend Dr. Gordon, for his great and exemplary condescension, in gratuitously giving his prayers and spiritual assistance to Thomas Rowell, during the time of his confinement, after conviction, and at the place of execution.

That it is the opinion of this meeting, that a proper place, within the walls of the gaol, ought to be set up apart for divine worship.

That the space over the four solitary cells, may properly be appropriated for that purpose.

That a chapel be fitted up over those cells; the seats being divided into four classes: male convicts and non-convicts; females of those descriptions, and debtors.

That Mr. Lumby be directed to prepare a plan and estimate of fitting such chapel, for the inspection of the magistrates, to be assembled at the Castle of Lincoln on Saturday next, at 10 o'clock in the forenoon.

That the gaoler have three rooms reserved, to furnish for such debtors as choose to like the same; that all the other rooms appropriated for debtors, to be left unfurnished for such debtors as wish to find their own beds; that no debtor be precluded by this Resolution, from hiring a bed of the gaoler, if he so chuses; and that the magistrates to be assembled at the Castle of Lincoln on Saturday next, be requested to set out such three rooms for the gaoler.

The magistrates present on the 11th of September, having visited the debtors apartments, in order to carry into execution the appropriation of the gaol, recommended by the general meeting on Tuesday last, and duly considered what the consequences of such appropriation are likely to be; Resolved, That such appropriation be referred to the next annual meeting, for reconsideration.

Mr. Lumby having produced a plan and estimate of fitting up a chapel, pursuant to the Resolution on Tuesday last, and the same being duly considered;

Resolved, That a chapel be fitted up in the following manner; the floor to be of Leeds common flag-stone; the walls and ceiling to be of a two-coat drawing: the separations between the different classes of felons and debtors, to be plain, strong, framed partitions, with spikes where necessary; forms and kneeling boards, for the different classes of prisoners; a plain framed pulpit and reading desk; a raised pew for the gaoler; and the staircase to be of wood, except the bottom step, which is to be of stone.

Resolved,

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Resolved, That it be recommended to the magistrates of the three divisions, to allow the gaoler's bill of contingencies this day produced, amounting to £.52. 19s. 4½d. and to raise and pay the same in the usual proportions.

The magistrates present on the 11th of September, having taken into consideration the Resolutions of the meeting of the 7th instant, when it was agreed, that the gaoler should hereafter receive a salary of £.200 a year for himself and his turnkeys; and that the expense of maintaining the prisoners, with other charges, which gaolers had formerly paid, should be borne by the county in future;

Resolved, That from the time when he came into office, till that when the new Regulations are carried into execution, he ought, over and above his salary of £.200 a year, to receive a payment at the rate of £.60 a year, in order that the recompense for what he has done, may be made equal to that which it is intended he should receive in future.

It appearing to the same magistrates, that there still remains due to the proprietors of Lincoln Bank, the sum of £.139. 19. 8. over and above the sum of £.7,000 already raised and paid, towards defraying the expense of building the new county gaol;

Resolved, That it be recommended to the magistrates of the three divisions, to raise and pay the same in the usual proportions.

Resolved, That copies of these Rules, Regulations, and Resolutions, be transmitted to the several clerks of the peace for the three divisions, to be by them laid before the magistrates of each division, at the next Michaelmas Quarter Sessions; and that such magistrates be, and they are hereby requested, to concur therein, and to make such orders, and give such directions, as shall be necessary for carrying the same into execution.

JOS. BANKS, Chairman.

Lincolnshire.—AT a Meeting of the Magistrates of the three divisions of the county of Lincoln, held at the Castle of Lincoln in the said county, on Tuesday the sixth day of September 1791, pursuant to public notice for that purpose given in the Stamford Mercury and York Courant; Present, Sir Joseph Banks, Baronet, Chairman; Thomas Coltman, Richard Ellison, junior, and John Cracroft, Esquires; Everard Buckworth, Doctor of Laws; Reynold Gideon Bouyer, Caley Illingworth, and Samuel Partridge, Clerks; and continued and holden by adjournment at the said Castle of Lincoln, on Wednesday the seventh day of the same September; Present, Everard Buckworth, Doctor of Laws; Reynold Gideon Bouyer, Caley Illingworth, and Samuel Partridge, Clerks; the following Resolutions were agreed to, and recommended to the magistrates of each of the three divisions of the county, to be by them adopted and carried into execution; viz.

Resolved, That the direction given to the gaoler at the last county meeting, "to take care "that no person was permitted to go into the Castle, except a magistrate of some one of "the divisions of the county, the sheriff or his officers, without a written order from a "visitor or the chaplain; and that no person transact business with a debtor or felon, but "in the gaoler's house, and in his presence, or in the presence of a turnkey;" be expunged; and that the gaoler do, instead thereof, observe the following direction; viz.

To take care that no person is permitted to go within the Castle walls, except the high sheriff, a magistrate of some one of the divisions of the county, the under-sheriff or his officers, persons having a written order from the sheriff, a visitor, the chaplain, or the under-sheriff, or persons having business with any of the debtors; who are to be admitted at the discretion of the gaoler, on application for that purpose; that no person be admitted into the felons ward within the said Castle, without a written order from the high sheriff, a visitor, the chaplain, or the under-sheriff; and that no person transact business with a felon, but in the gaoler's house, and in his presence, or in the presence of a turnkey.

GAOLER'S ALLOWANCES.

Resolved, That it be recommended to the magistrates of the three divisions, to allow the gaoler £.300 a year from the first day of January 1792, as follows; for his salary, £.260; to enable him to find a market-man agreeable to the Resolutions of the last county meeting, £.20; and for coals, pots, buckets, bowls, tubs and straw, for the use of the gaol, £.20; and the use of the house, Castle, yard, and gardens belonging to the Castle (free from land-tax, out-rents, and exhibition money to the King's Bench and Marshalsea; which, with the expense of maintaining the prisoners, and other charges, gaolers have formerly paid, are to be paid and borne by the county); he providing, at his own charge, two turnkeys at the least, eight chaldrons at the least of good coals yearly, for the use of the felons and poor debtors, and sufficient pots, buckets, bowls, tubs and straw, for the use of the gaol; and entering into the bond mentioned in the Resolutions of the last county meeting.

Resolved, That it be also recommended to them to allow the said gaoler an addition of £.60. to his salary of £.200. for the present year, in order that the recompence for his service this year, may be made equal to that which it is intended he shall receive in future.

CHAPLAIN.

The appointment of a chaplain under Mrs. Hussey's benefaction, remaining in suspense;

Resolved, That it be recommended to the magistrates of the three divisions of the county,

to

to appoint the Reverend Henry Davis chaplain to the gaol for one year only, to commence from the sixth day of this instant September; that his allowance for the same be £.50; that he do read prayers in the chapel three times in every week, viz. on Tuesday, Thursday, and Saturday; that he do visit all the cells, and examine the state of the prisoners, not less than three times a week; attend all criminals under sentence of death, and at the place of execution, and fill up the last column in the chapel book, and sign the same every Saturday. Appx. (Q.)

Resolved, That Sir Joseph Banks be requested to confer with Lord Delaval, relative to Mrs. Hussey's benefaction of a salary to a Church of England clergyman, to officiate as chaplain to the gaol.

Resolved, That it be recommended to the magistrates of the three divisions of the county, to allow the gaoler's bill of contingencies, this day produced, amounting to £.138. 2s. 2d. and to raise and pay the same in the usual proportions.

It appearing to the magistrates, that there still remains due to several workmen, to discharge their bills for furnishing the new county gaol, chapel, and solitary cells, the sum of £.921. 19s. 0¾;

Resolved, That it be recommended to the magistrates of the three divisions, to raise and pay the same in the usual proportions, as soon as may be; and that it be also recommended to them in the mean time to request the proprietors of Lincoln Bank to advance and pay the same, on an allowance from the county of five pounds per centum per annum, from the time they shall discharge the bills until they shall be reimbursed the same by the three divisions.

Resolved, That copies of these Resolutions be transmitted to the several clerks of the peace for the three divisions, to be by them laid before the magistrates of each division, at the next Michelmas Quarter Sessions; and that such magistrates be, and they are hereby requested to concur therein, and to make such orders and give such directions as shall be necessary for carrying the same into execution.

JOS. BANKS, Chairman.

Lincolnshire, Lindsey, (to wit.) AT a General Quarter Sessions of the Peace of our Sovereign Lord the King, holden at the County Hall in the Bail of Lincoln, in and for the parts of Lindsey in the county of Lincoln, on Friday the third day of July, in the fifty-second year of the reign of our Sovereign Lord George the Third, of the United Kingdom of Great Britain and Ireland King, &c. and in the year of our Lord one thousand eight hundred and twelve,— (R.)

BEFORE George Uppleby, Esquire, Chairman,
Francis Chaplin and Charles White, Esquires,
Edward Bromhead and John Nelson, Clerks, Justices of our said Lord the King, assigned to keep the peace of our said Lord the King, in the said parts of Lindsey in the said county, and also to hear and determine divers Felonies, Trespasses, and other Misdemeanors committed within the parts aforesaid.

At this Court, the following Rules and Orders respecting the County Gaol, were made.

RULES and ORDERS respecting the County Gaol at Lincoln.

GAOLER'S DUTY and POWERS.

To take especial care that the following Rules and Orders, framed for the government of the Debtors and Crown Prisoners, are strictly observed by them; and to give immediate notice to a visitor, in case they should be disobeyed, after the punishments hereafter directed have been inflicted.

To keep the debtors on one side of the gaol, and the crown prisoners on the other; and to take care that the different classes of prisoners are separated and kept in such particular wards as are hereafter ordered.

To keep the women at all times separate from the men.

To keep a proper person to go twice a day into the town, to purchase such provisions for the prisoners as are allowed by the rules of the prison; and to examine the quality and price of the provisions so purchased; and to inspect all articles which may be sent to the gaol for the use of any description of prisoners.

To provide and keep in order, at the expense of the county, legal scales, weights and liquor measures, for the use of the gaol; to procure also a bell, to give notice of the time of chapel, and to ring in the debtors at the times of locking up.

That the gaoler's house, together with the gardens, and the use and benefit of the Castle-yard, be and they are hereby ordered to continue to be used by the gaoler for the time being, as ordered at a general meeting of the magistrates of the three divisions of the county, the 7th day of September 1790, (except the room on the ground floor adjoining the debtors apartments, in which the business of the gaol is transacted.)

That if any debtor or crown prisoner shall refuse to obey the rules laid down for the

Appx. (R.)

government of the prison, or shall be guilty of drunkenness, gaming, cursing, swearing, or of other indecent behaviour or expression; or shall assault, quarrel with, or abuse his fellow prisoner, or shall pass the fence or fences allotted to his class, shall attempt to escape, or shall conspire with any person so to do; or shall wilfully waste, damage, spoil, or destroy any of the beds, bedding, cloaths or utensils in the prison, shall be considered as an offender, and the gaoler shall immediately confine him in the rooms set apart for refractory and disorderly prisoners.

That the gaoler do refuse admission to such persons not having business, as he may think ought not be admitted, unless they bring an order from the sheriff, or a visiting magistrate.

CROWN PRISONERS.

The different wards of the Crown Prison are to be particularly set apart for the following descriptions of prisoners:—No. 1. The first day-room and court-yard on the left hand, for convicted male felons.—No. 2. The second day-room and court-yard on the left hand, for male prisoners on suspicion of felony.—No. 3. The first day-room and court-yard on the right hand, for males committed on suspicion, or adjudged guilty of misdemeanors.—No. 4. The second day-room and court-yard on the right hand, females for trial, and convicted; the night-cells on the ground floor, for male felons; those on the chamber story for the women, and prisoners committed on suspicion, or adjudged guilty of misdemeanors; and the two larger rooms adjoining the chapel, for male and female sick-rooms; the low cells under the chapel, with court-yards adjoining No. 1. on the left hand, for refractory and disorderly debtors; Nos. 2. 3. and 4. for small offenders, or for the occasional separation of any description of prisoners that may conduct themselves improperly.

PRISONERS for Debt, Contempts and Fines.

The four rooms on the ground floor, are set apart for the male debtors to live in during the day; one of which, called the Grate, is for the use of those who find their own bedding &c.; the other three rooms to be occupied by such debtors as the gaoler shall direct, and to be furnished by him.

All the chambers above the day-rooms, both on the first and second stories, are set apart for the male debtors sleeping-rooms.

The upper wing room, and the room adjoining on the east, for the use of those finding their bedding; the remaining ones to be occupied by such debtors as shall wish to hire the gaoler's beds.

The two west attic chambers over the gaoler's apartments, to be occupied by the female debtors, as a day and night-room; and that the male debtors be not allowed to frequent the same.

That debtors lodging in the gaolers beds, shall pay the following prices for the same:

Those in the great and little rooms, for a half-bed, one shilling and sixpence; for a single bed, two shillings and sixpence per week: those in the better room, called Bedlam, for a half-bed, two shillings and sixpence; for a single bed, three shillings and sixpence per week; but no debtor to be precluded from bringing his own bedding into the room set apart for that purpose; or in case those should be too full, into such other rooms as shall be directed by the visiting magistrates.

That as soon as the debtors lodging rooms are cleaned, and the beds made in the morning, they shall be locked up during the day, that they may remain clean and properly ventilated.

That the prison be opened at half past six o'clock in the morning, in the summer; and as soon as it is light, in the winter.

That the bell be rung at one o'clock, for locking up all the debtors for the dinner hour; and that it be again rung, a little before it is dark, for locking them up in their day-rooms, and being counted off by the turnkeys.

That at nine o'clock exactly, the whole of the debtors be removed from the day, to the night-rooms; and that no person whatever, on any pretence, be permitted to remain in the Castle beyond that time.

That the county allowance of bread and beef be distributed, immediately after chapel, to such poor and certificated debtors as shall attend divine service decently and orderly; if they do not attend, they shall not receive the county allowance, unless they are prevented by illness, or should be dissenters from the Established Church.

That any debtor detected in getting liquor into the Castle, beyond the quantity allowed him to take, viz. one quart of ale and one pint of wine in twenty-four hours, (and which must be received of the publican at the entrance lodge, and not elsewhere); or who shall be detected of selling or disposing of the liquors so allowed him, to any other person, whereby the peace and good order of the prison may be disturbed, shall be deprived of his county allowance, and shall not be restored to it but by a petition to a visiting magistrate.

The certificated or poor debtors only, to be attended by the surgeon free of expense.

Each debtor to be obliged to clean the rooms in turn, and in like manner to pump water for their division of the gaol, as the gaoler shall direct.

No debtor shall be allowed any communication, by writing or conversation, with the crown prisoners.

During the time the prison is open, the debtors to have the privilege of the area which is fenced off in the front of the gaol, for exercise and recreation; but in no other part of the premises whatever, without leave given.

That

That no spirituous liquors of any kind shall be brought into the prison, but by order of the surgeon, who shall specify the quantity and purpose. (Appx. (R.)

That to prevent the great inconveniences complained of by the debtors, by the wives and families of many of them remaining in the gaol during the day, it is ordered, that for the future, the wives and families of such shall be permitted to remain in the gaol two hours in the forenoon, and two hours in the afternoon of each day only.

The wives, families, and friends of debtors, coming from a distance on business, and for a short period only, to be admitted, as usual, at the discretion of the gaoler.

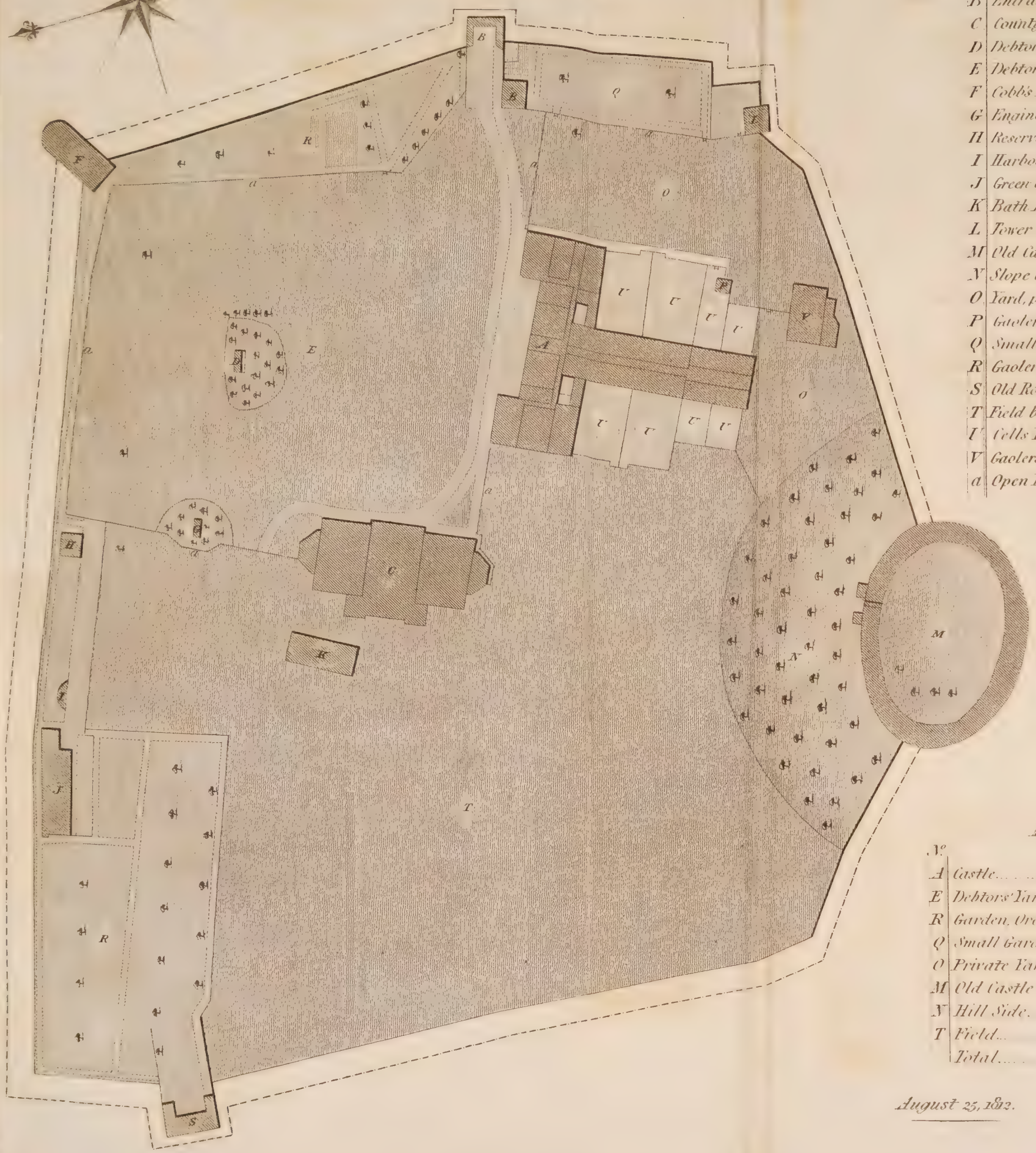
Ordered, That the above Rules and Orders be entered on the Rolls of the Sessions; and that the Chairman be requested to lay the same before the Judges at the next Assizes, to be by them reviewed and confirmed, or moderated.

By the COURT,
Joseph Brackenbury,
Clerk of the Peace for the said Parts.

Laid before Us, at the Assizes held for the County of Lincoln, on the 11th of July 1812; and Approved.

N. GROSE,
V. GIBBS.

Plan *of* **LINCOLN CASTLE;** *by* Upton.



REFERENCES.

A	*The Castle*
B	*Entrance Gate & Turnkey's Lodge*
C	*County Hall*
D	*Debtors Privy, and Shrubbery*
E	*Debtors Area for Exercise*
F	*Cobb's Hall, (and Old Prison.)*
G	*Engine House for raising Water*
H	*Reservoir*
I	*Harbour*
J	*Green & Hot House*
K	*Bath House*
L	*Tower on the Wall*
M	*Old Castle Keep*
N	*Slope of the keep's Hill*
O	*Yard, private for Gaoler's use*
P	*Gaoler's Privy*
Q	*Small Garden*
R	*Gaoler's Garden & Orchard*
S	*Old Roman Sally Port*
T	*Field beyond County Hall*
U	*Cells Yards*
V	*Gaoler's Stable*
a	*Open Pallisades Fencing*

PREMISES.

No		*A*	*R*	*P*
A	*Castle*	0	1	20
E	*Debtors Yard*	1	1	28
R	*Garden, Orchard, &c.*	0	3	10
Q	*Small Garden &c.*	0	0	18
O	*Private Yard*	0	1	26
M	*Old Castle Keep*	0	0	34
N	*Hill Side*	0	1	20
T	*Field*	3	2	5
	Total	6	1	10

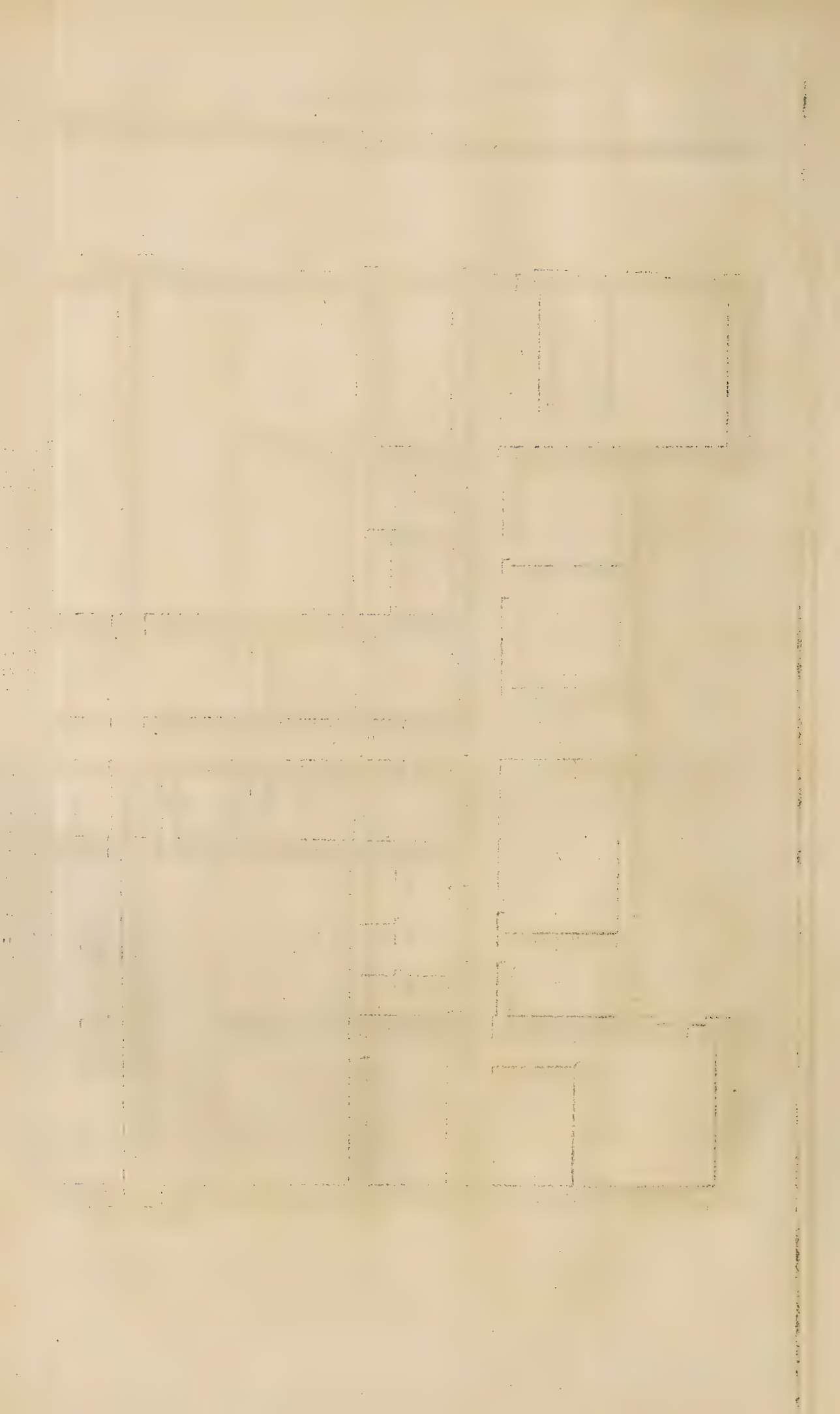
August 25, 1812.

Ground Plan
of
LINCOLN CASTLE.
by
W. Upton.

REFERENCE.

	N.o	Len.th		Br.th		Heith	
A	Gaoler's Dining Room	20	0	17	0	12	6
B	D.o ..... Sitting Parlour	15	6	10	6	12	6
C	Visiting Magistrates Committee Room	22	8	15	6	12	6
D	Gaoler's Pantry	15	6	6	6	12	6
E	Kitchen	10	0	9	6	12	6
F	Gaoler's Scullery	11	6	10	0		
G	Gaoler's Private Entrance and Staircase			9	0		
H	Principal Entrance and Staircase			9	0		
I	Debtors Great Day Room	22	8	15	6	13	0
K	D.o ..... Little Day Room	10	6	15	6	13	0
L	D.o ..... Bedlam Day Room	15	6	15	6	13	0
M	Free Debtors Day Room	20	0	17	0	13	0
N	Debtors Night Yards and Privies						
O	Gaoler's Kitchen Yard						
P	Prison Passage						
Q	Turnkey's Room	10	2	9	10	11	0
R	Debtor's Refractory Cell	10	2	9	10	11	0
S	Three Large Night Cells for Felons	10	2	9	10	11	0 e.h
T	Day Room, Court Yard; Men Convicted of Felony	17	2	9	10	11	0
U	D.o ... D.o ... D.o ... D.o ... Men on Suspicion of Felony	12	0	9	10	11	0
V	D.o ... D.o ... D.o ... D.o ... For Misdemeanors	20	2	11	0	11	6
W	Staircase to Chapel & upper Cells			3	0		
X	Day Room, & Court Yard for Women of all Descriptions	12	0	9	10	11	0
Y	Six Night Cells for single Male Felons	9	10	5	6	11	0 e.h
Z	Wash House and Pumps						
1	Day Room & Court Yard for Refractory Debtors	13	0	8	2	10	6
2	Three Day Rooms & Court Yards for small Offenders						
3	Height of Walls round the large Court Yards					22	0
4	D.o ... of D.o ... round the lower Court Yards					22	0
5	Declination of ground from front to rear of the Prison					Ft 5	In 10

August 27. 1812.



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REPORT

FROM THE

COMMISSIONERS

Appointed to inquire into the state, conduct, and management of the Prison and Gaol of *The Fleet*; and also, of the Prison and Gaol of the Court of His Majesty's Palace at *Westminster*; and of the Court of *The Marshalsea* of His Majesty's honourable Household; and of the Prisoners in the said respective Prisons confined.

(Dated 29th October 1818.)

Ordered, by The House of Commons, *to be Printed*,
16 *March* 1819.

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[*N. B.*—The Figures in the Margin of the REPORT refer to corresponding Figures in the Margin of the APPENDIX.]

REPORT

FROM THE

COMMISSIONERS

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TO THE KING'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY,

IN Obedience to Your MAJESTY's Commission, which we return herewith, and in pursuance of the authority contained therein, We, the Commissioners therein named, having appointed *Timothy Brent*, Esquire, to act as our Clerk, proceeded to inquire, according to the directions of the said Commission, into the various matters thereby referred to us. In execution of this duty, we have caused to be laid before us the Rules and Orders by which the prison of the Fleet and the prison of the Marshalsea are respectively governed, and also those of the King's Bench, and other documents likely to assist us in the inquiry in which we were engaged. We have also examined several witnesses upon oath. Which several orders and documents, and the examinations of the said witnesses, together with the evidence of Mr. Nixon and Mr. Woodroffe, given before a Committee of the House of Commons in the year one thousand eight hundred and fifteen, and by them referred to in their examination before us, are annexed to this Report. In the course of our inquiries respecting the prison of the Fleet, some of us personally visited the said prison; first, upon the twenty-fourth day of April one thousand eight hundred and sixteen, without any previous intimation of our intent to do so; and, subsequently, upon the twenty-fourth day of June, after a notice of our intention had been fixed up the day before in the most conspicuous places in the prison; and upon our meeting at the prison upon that day, public notice was also given by the cryer, in the most frequented parts of the prison, that the Commissioners were then assembled; with a desire expressed, that if any of the prisoners had any thing to communicate, they would immediately attend them: All of them had free access to the said Commissioners. Some of them did attend accordingly, and gave the evidence subjoined to this Report. The said Commissioners remained several hours in the prison, and heard fully every person who had any thing to say. No. 1. 58.

The following Observations which we now submit, and the subjoined Rules and Orders, which we take the liberty of suggesting for Your Majesty's consideration, are the result of the information we have received in the course of our inquiries.

THE FLEET is a prison for the confinement of persons under process of debt issuing out of the courts of Common Pleas and Exchequer, and for persons committed for contempt by the said two courts, and also by the court of Chancery and by the duchy court of Lancaster.

The Building appears modern, strong, solid, and protected from fire by stone staircases and stone floors in the several galleries and rooms, except in the upper 1.

THE FLEET PRISON.

story, where the floors are boarded; it is in general clean, healthy, and free from offensive smells; the rooms sufficiently lighted, and not inconveniently crowded, though the cleanliness of the rooms must in a great degree depend upon the habits of the respective occupiers, and their attention in preserving it, quickened by the means which the deputy warden may exercise to enforce it. The infirmary is large and airy; the strong room, or place of confinement for refractory prisoners, is sufficiently secure, well lighted, and provided with a fire-place; the chapel is commodious. Within the exterior walls of the prison there is an area affording a sufficient space for exercise; these walls are of considerable height, and guarded by a cheveaux-de-frize; but their contiguity to houses on the outside, and their proximity in some points to the interior buildings of the prison, must lessen the difficulty of escape, though very few instances have occurred in which it has been attempted with success.

31. 32. 34. 35 48. 50. There is also a certain space without the prison walls called the Rules, containing about three quarters of a mile in circumference, including the London Coffee House, and several public houses; within which space the prisoners are permitted to reside, upon giving a security to the warden against an escape: this is done by a warrant of attorney to confess a judgment to the amount of the debt with which the prisoner stands charged, with a defeazance on the back, declaring it is to be void in case no escape should take place, and on payment to the warden of a certain per-centage upon such debt, the amount of which is settled by an agreement with the party; in which, the warden considers the circumstance of the debtor, and the magnitude of the debt, but which never exceeds five per cent. upon the first hundred pounds, and two and a half per cent. upon the rest. On the obtaining of the rules, a sum of one pound fifteen shillings is paid for the stamp on the warrant of attorney, and ten shillings and sixpence to the clerk of the inquiries.

49.

33. 34. Day Rules may be obtained for the prisoners for debt every day in term time, on which the courts of Common Pleas and the Exchequer respectively sit, by applying to the warden, and giving him the same sort of security against escape as before mentioned; and the prisoners who obtain such day rules are thereby enabled to go at large during the day for which the rules are granted, from the time of the gates being opened in the morning till eleven o'clock at night. The expenses of obtaining the day rule, exclusive of the expenses of the security, consist of one shilling to the warden, one shilling and ten-pence to the clerk of the papers, and one shilling and eight-pence to the officers of the court which grants the rule.

33. The security heretofore given was a bond; but the warrant of attorney has lately been substituted in the place of it. A fresh warrant of attorney is required every term in order to obtain a day rule, unless the party is within the rules, in which case no fresh security is taken; but the warrant of attorney given upon his admission to the rules is thought sufficient.

15. The prison is divided into the Master's side, and Common side.

52. The Master's side consists of one hundred and nine rooms, of which one hundred and six have fire-places, and all of them admit what are called chums, except fifteen, which are on the ground flour, called Bartholomew Fair, and which are small and low; the other three, which have no fire-places, are called slip-rooms: for each of the above rooms a rent of one shilling and three-pence a week is payable to the warden.

50. The Common side consists of four large rooms with fire-places, the beds are placed in small recesses called cabins, separated from each other, leaving a sufficient space in the room for the prisoners to work in: three of these rooms contain seven cabins, the other only six, and the number of prisoners in each room never exceeds the number of the cabins in it; for these rooms no rent is paid, the bedding and furniture for the rooms on both sides are found by the prisoners, and in cases where the prisoner is unable to procure any for himself, which very rarely happens, he is supplied by the profit arising from the begging grate, on his being duly sworn for that purpose as hereinafter mentioned, or by the charity of his fellow prisoners.

16. The warden or deputy warden has the disposal of all the rooms, and allots those on the Master's side to such prisoners as previously pay the admission of one pound eight shillings and eight-pence, which appears to have been the ancient practice of the prison; and he allots the cabins in the rooms on the Common side

to

THE FLEET PRISON.

to prisoners, without a previous payment of any admission fee; those who are lodged on the Common side, and not sworn on the begging grate, are liable to an admission fee of fifteen shillings and four-pence, which in fact has been usually paid on their discharge; but those who are so sworn are not liable to any such fee.

The rooms on the Master's side are allotted to the prisoners in rotation from the time of the payment of their admission fee; the first who takes possession of a room, which cannot be done without the consent of the warden or deputy warden, is called the owner; and when every room is occupied by an owner, and new prisoners are brought in, every prisoner who pays the admission fee of one pound eight shillings and eight-pence is lodged, together with the owner, in the room so occupied, upon the same principle of regular rotation, and is called a chum; and if the number of prisoners should make it necessary that more than two should be lodged in the same room, which does not often happen, the same system of chummage and rotation continues to take place. 13.

We have considered the Regulations made from time to time by the warden, respecting the chummage of the prisoners, and other matters within the scope of his discretion, and which will be found in the Appendix to our Report, and think that they should be continued, subject to such rules and regulations as we have suggested to be made. 148, 149. 152, 153, 154, 155.

On the Common side, the cabins are so allotted as to make the number of prisoners in each room as nearly equal as the nature of the case will properly admit.

The officers of the prison are, a warden, a deputy when such officer shall have been appointed by the warden under his patent, a clerk of the papers, three turnkeys, and also at present a fourth extra turnkey, a cryer, a watchman, and a scavenger. 3, 4, 5. 50.

The office of warden is held at the pleasure of the Crown; and John Eyles, esquire, the present warden, was appointed by letters patent bearing date the twenty-fourth day of November in the thirty-second year of George the Second; which patent was renewed by Your Majesty, whereby the said office, with all the fees, profits, salaries, advantages and hereditaments belonging thereto, was granted to him, to hold and exercise the same, by himself, or his sufficient deputy or deputies, for whom he should be responsible, during Your Majesty's will and pleasure. 156.

The other officers of the prison are in the appointment of the warden. Mr. Nixon was appointed by Mr. Eyles to the several offices of deputy warden, clerk of the papers, and principal turnkey, by an appointment dated the third day of June one thousand seven hundred and ninety. Mr. Eyles has been for many years incapable, through age and infirmity, of personally executing the office, being nearly both blind and deaf, and has not been within the prison since the year one thousand eight hundred and four, at which time he agreed with Mr. Nixon, that he (Mr. Nixon) should have all the emoluments of the office of warden, as well as those of the clerk of the papers, and principal turnkey, reserving to himself an annuity of five hundred pounds a year; Mr. Nixon undertaking the responsibility to the warden for all escapes. Mr. Nixon resides within the prison, with only short and rare occasional absences, seldom exceeding ten days or a fortnight, during which time the duties of the office are performed by Mr. Woodroffe his clerk. 3. 7. 3.

To the offices of warden, deputy warden, and clerk of the papers, no salary is attached; but the first and last are remunerated by fees, emoluments and perquisites, as stated in the letters patent, and in the evidence in the Appendix, by which it appears, that those belonging to the warden, after the various deductions that are to be made from them for servants wages, taxes, payment of chaplain and clerk, and the contingent expenses of law charges, and losses by escapes, amount, upon an average, to about one thousand eight hundred and eighty-two pounds per annum; and those of the clerk of the papers, to about seven hundred and ninety pounds a year, but from this are to be deducted the expense of supplying the office with stationary, and of occasional assistance in the office, not exceeding one hundred pounds a year; the amount, however, of the profits must of course vary, from the uncertain nature of the sources from which they respectively arise, and the charges to which they are subject. 144. 145.

The deputy warden has no fees as such, nor any emoluments but such as are derived from an agreement with the warden. 7.

3. Mr. Woodroffe, as private clerk to the deputy warden, receives from him a salary of one hundred pounds a year, and receives, as clerk of the inquiries, a fee of half-a-guinea from the prisoners, on each instrument of security taken upon the grant of the rules, or of a day rule, as before mentioned, for his trouble in inquiring into the sufficiency of the sureties, amounting, upon an average, to about seventy
50. pounds a year.

4, 5. 7. The three turnkeys receive each of them a guinea a week from the warden, and each had a room rent free within the prison. The chief turnkey has a fee of two shillings, on a commitment of every prisoner not entitled to partake of the poor box, and one shilling on every declaration, amounting, on an average, to about sixty-one
50. pounds a year; the two others have no fees at all; two of them sleep within that part
4. of the prison occupied by the prisoners, the third under the office of the deputy warden, which is also within the walls of the prison; and at present the deputy warden, being himself the principal turnkey, an extra turnkey is added to the number,
50. with the like salary from the deputy warden.

5. The cryer has no fees as such, nor any emoluments but from the gratuities of strangers resorting to the prison.

5. The watchman receives half-a-guinea a week from the warden.

5. The scavenger has some little perquisites from the warden, and small gratuities from the prisoners.

8. There is a chaplain, who receives from the warden thirty pounds a year, and performs Divine Service on Sundays, Christmas-day and Good Fridays, and occasionally administers the sacrament.

50. 38. The chaplain has been paid by the warden for a period of about fifty years; before that time he was remunerated by a payment of four-pence a week from each prisoner; but in consequence of this mode being complained of, the warden has
37. 8. himself paid the above thirty pounds ever since; there is also a clerk, who receives five pounds a year from the warden; and both chaplain and clerk are appointed
50. by the warden. The warden also defrays the incidental expenses of the chapel, which amount to about five pounds a year.

6. The several offices of cryer, scavenger and watchman, are held at present by the same person; and Mr. Nixon says, one person is sufficient to do all the duties of these three offices.

Mr. Nixon, the deputy warden, receives, and applies to his own use, the profits of the office of the warden, with the deduction of five hundred pounds a year; and also the fees and perquisites of clerk of the papers and chief turnkey, under the agree-
144. ment before mentioned; the net profits derived from his situation in the prison,
145. amount, upon an average, to about two thousand two hundred and thirty-eight pounds a year, and under the present circumstances, we do not think that holding as he does the several offices above mentioned, although we might not have originally recommended such an union, he is overpaid, considering the duties he has to perform, and the responsibility to which he is subject. As to the general mode in which the officers of the prison are remunerated, though perhaps it may appear in some respects exceptionable, yet, as we do not find that it has been attended by any serious evil or inconvenience, we cannot recommend the abolition of fees, or the prohibition of emoluments, which antient regulations and long usage have established.

46. 141. There are various charities, as stated in the Appendix, applicable to the poor prisoners, amounting to about forty-eight pounds a year, which is divided amongst those who swear they are not worth five pounds, and cannot subsist without the
16. charities belonging to the prisoners of the Fleet. There is also a begging-box, in
141. which a sum is collected, uncertain in its amount, but supposed to be about one hundred and thirty pounds a year, of which no account is kept, the donations of the day being appropriated, exclusively, to the prisoner who stands at the begging grate to receive them; which all the prisoners who take the oath before mentioned, are permitted to do by turns. There are generally about seven or eight who entitle
41. themselves to a share of the above charities by the said oath; and none are suffered to partake in the profits of the begging-box, who decline to stand at it; which we are not disposed to think an unreasonable condition, nor, according to the evidence given

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given us by the deputy warden, a condition that in fact excludes any persons who, from their circumstances, ought properly to have a share in it.

There is a further sum of five hundred pounds a year raised upon the several counties in England and Wales, under an act of the fifty-third of Your Majesty, chapter one hundred and thirteen, applicable to the relief of such prisoners in the Fleet as swear they are not worth above ten pounds in the world, and cannot subsist themselves without the assistance provided by the said Act; and which is distributed amongst them under the directions of an alderman or justice of peace of the city of London, subject to certain provisions in the said Act, and to regulations made in pursuance thereof. And when a prisoner has no means of subsistence from any property of his own, he is supported in the prison either by waiting on the other prisoners, or by means of the charities aforesaid; and it appears that when he is unable to pay the expenses of his discharge from prison, they are either defrayed by some charitable fund to which he may have recourse, or they are remitted by the deputy warden. 16. 141. 47. 17. 29. 57. 29.

The Rules and Regulations for the government of the prison, made at different periods, some of them by several of the judges under a commission issued by Queen Elizabeth and confirmed by letters patent of Charles the Second, some by the court of Common Pleas, and others by the mere authority of the warden or his deputy, are stated in the Appendix, and seem in general well calculated for the several intended purposes. Under the system prescribed by these rules and orders, particularly as administered by the present deputy warden, it appears to us, that order and discipline have been in general as well preserved as in a place of this description could be reasonably expected. Instances, however, of riot and disorder have occasionally occurred from the unrestrained admission of women, from the effects of liquor, and other causes: these disorders are stated to have been much more prevalent of late, in consequence of the number who have procured themselves to be thrown into prison to take the benefit of the Insolvent Act passed in the fifty-third year of the reign of Your Majesty, chapter one hundred and two, and who, during the three months of their imprisonment mentioned in the said Act, have been induced to squander the money they possess in dissipation, instead of reserving it for their creditors. These disorders it may be difficult and indeed impossible entirely to prevent; and though we hope they may in some degree be lessened by the further regulations that have occurred to us, we are well aware that the most effectual remedy must be expected from the constant and active vigilance of the warden and other officers of the prison, and from the due exercise of the powers vested in the warden and deputy warden, of punishing all offenders by such means as the regulations of the prison give them the opportunity of resorting to. 146, 147. 148, 149. 150, 151. 152, 153. 154, 155. 157. 43. 40. 36.

In furtherance of this object, we should hope that a better regulated attendance upon Divine Service, which has been heretofore much neglected, though materially improved of late, might have a salutary effect; and we have accordingly prepared the form of an order requiring the presence at chapel of the warden or deputy warden, or his clerk, or the clerk of the papers, and also for the shutting up of the tap-room, cellar-head and coffee-house, and for excluding all persons therefrom, and for keeping the prison gates closed, with certain exceptions, during the performance of Divine Service. And we beg leave to suggest the propriety of providing some means of raising the salary of the chaplain to a competent sum, in order to secure a more efficient discharge of the duties of his office. 25. 26. 37. 42. 8. 51.

We have also thought it expedient to propose certain restraints upon the prisoners meeting in general assemblies or committees, which lead frequently to disorder, especially when they are convened for the examination into the conduct and for punishment of each other. We have also framed a regulation to check an illegal practice, which has prevailed amongst the prisoners, of offering a reward by a cryer of their own appointment for the restitution of articles stolen from the prison, under a promise that no question shall be asked; a practice which usually procured a return of the article stolen, but which necessarily tends to the encouragement of theft, by the impunity held out to the offender, the cryer being deterred from communicating the name of the person from whom he receives the goods by the promise given, and by the fear of personal injury, which has been seriously threatened in case of disclosure. 39. 26.

48. Inconveniences having also arisen from the number of prisoners having the benefit of the Rules, who resort for amusement to the Sessions House at the Old Bailey during the sitting of the court, especially in an evening, we suggest the propriety of correcting this practice, by forbidding them to go there, except in cases where their attendance is permitted by the express authority of the warden or deputy warden, or required by the order of the court.

9. 10. 49. 63. The mode in which the prisoners within the walls are supplied with liquor, and the access of those who reside within the Rules to the coffee-houses and public-houses without the prison, but within the Rules, have engaged our attentive consideration; but as to the former, we are not aware of any precise rules which can be practically adopted less objectionable than those which are acted upon at present, subject only to an order that the tap-room, cellar-head and coffee-house shall be shut up invariably at eleven o'clock at night, and always during Divine Service, and that the sale and use of spirits within the prison, and all appearance of intoxication, as well as of gaming, shall be duly punished; and as to the latter, viz. the access to the coffee-houses and public-houses within the Rules, we are much disposed to subscribe to the opinion of the deputy warden, that no very material inconveniences result from it; that irregularities likely to arise there are sufficiently checked by the superintendence of the Magistrates over public-houses, and the interest of the keepers of such public-houses to prevent them; that the prisoners who are disposed to waste their property for their own gratification would have the same opportunity of doing it within the prison as within the Rules, though at more expense; and that to exclude these places from the Rules, would deprive the prisoners of a convenience for the meeting of their creditors and the more ready access to their friends, which does not seem to have been abused, without any adequate advantage to the discipline of the prison, or any probable benefit to the creditor.

39. 40.

22. 43. 44. 45. Another source of disorder to which we have before alluded, arises from the unrestrained admission of women into the prison, and the difficulty of distinguishing those of good and bad character, except by their behaviour subsequent to their admission.

The only certain remedy for this inconvenience would be found in the entire exclusion of all women (not prisoners themselves) from sleeping in the prison; but though this has been adopted in the King's Bench prison, where it has been recommended by the additional motive of procuring better accommodation for the prisoners, we have not thought ourselves called upon to extend this prohibition to the Fleet, where the number of rooms is much more adequate to the demand; and considering the hardship of the prisoners being deprived of the society of their wives and families, the difficulty, and in many cases the impossibility of procuring lodging and subsistence for them near enough even for occasional visits at the prison, especially in cases where the usual residence and settlement of the prisoners are in distant counties, together with other inconveniences attending the separation, and the impossibility of preventing the access of women in the day-time; we incline to think that the admission of women and children may be controlled, as far as it is expedient to do so, by the regulation which we have suggested for that purpose.

23. 42. 48. We have been desirous of making some arrangement for the separation of the rooms allotted to the male, from those allotted to the female prisoners; but from the limited number and disposition of the rooms, we have not been able to point out any practicable mode of doing it, without very material inconvenience; and only recommend it to the deputy warden to use the most effectual means that may occur to him for checking the evils that may arise from an unrestrained intercourse between the sexes.

Upon the subject of grievances and abuses to which the prisoners are exposed, we have the satisfaction of observing, that certain nuisances before complained of have been removed, and that little remains now to be redressed.

47. 60. 61. 62. Complaints were made to us of the want of a supply of table-beer in the prison, but, as it appears by the evidence, without foundation; and though the badness of the porter at the cellar-head was also stated to us, it seems that if this cause of complaint ever existed, it was only temporary and accidental. No restraint, except as to quantity, is imposed on the introduction of porter from any place without the

19. prison, whenever the prisoners may think fit to send for it; and that there has been

no

no very serious permanent occasion for these complaints may fairly be inferred, from the circumstance of no specific complaint having been made to the deputy warden, whose readiness to attend to and solicitude to redress any grievances that actually exist, appear from the evidence to have been sufficiently known throughout the prison, and would naturally have attracted complaints, if any cause for them existed which would bear the test of an inquiry. 49. 63. 65. 66. 64.

To prevent any improper interference of strangers in the racket ground, and their indiscriminate use of the privies in the prison, which ought to be prevented, an active exertion of the power already vested in the warden appears sufficient. 20. 45. 51.

The average number of prisoners is about two hundred and forty or two hundred and fifty, within the walls, and about sixty or seventy in the Rules; and there were, at the time of the examination of Mr. Nixon in March one thousand eight hundred and sixteen, residing within the prison, being the wives and children of the prisoners, thirty-nine wives and fifty-four children. 26. 139. 142.

An enlargement of the prison, and increase of the number of rooms within it, would certainly be an additional comfort to the prisoners; but it seems in general sufficient for the reasonable accommodation of the numbers that are confined in it; and the regulations adopted for the allotment of the rooms do not seem in any way exceptionable, and appear to have been acted on with impartiality and fairness. The only complaint we have heard of upon this subject, viz. that a prisoner had been deprived of the privileges of chummage for not having paid his commitment fee, appears to us to be unfounded. The complainant seems in this instance to have been fully able to pay the commitment fee if he had chosen to do so; and the demand of it before he obtained the privilege of chummage, was justified by the above-mentioned practice of the prison, to which we think there is no material objection. 61. 59.

As to beds, bedding and blankets, the probable waste and destruction of these articles, if they were provided either by the warden or at the public expense, we think a sufficient cause for abstaining from any general alteration in the present system; but it might be a material convenience, without being liable to the same objection, if one room were to be furnished with beds and bedding by the warden, for the accommodation of prisoners for the first night after their admission, and for the second night also, if necessary, at the discretion of the warden or deputy warden, on the payment of one shilling a night; and it is expedient that he should inspect, from time to time, as he may think fit, the beds and bedding of the prisoners, and have a power to remove or destroy such articles as shall appear to him noisome and offensive, or likely to become a nuisance to the prison, and to enforce a proper cleanliness amongst the prisoners and in their respective rooms, and also to direct a more frequent white-washing of the prison whenever it may seem necessary for health or comfort. 41. 46. 51. 30.

Against the voluntary continuance of prisoners in the prison after they are entitled to a supersedeas, and their attempting to escape while they are confined there, a sufficient provision does not appear to have been made; and it also seems to us, that the expenses of giving security upon the application for day rules may be in some respects diminished; and we have suggested rules accordingly for these objects. But one of the most important subjects that has been presented to our consideration, is the entire want of medical assistance for those who have the misfortune to stand in need of it, and who are left, if they have not the pecuniary means of providing it for themselves, to the progressive evil of a neglected and increasing illness, unless where it has been brought to the knowledge of the deputy warden, whose charity and benevolence have in such cases been invariably extended to those who wanted it, from the resources of his own purse. It is fit he should be relieved from such calls, and that the indigent sick should not depend for such an important object upon the uncertain benevolence of those who may hold that office; and we recommend the appointment of a regular medical attendant residing near the prison at an adequate salary, to be provided by such means as may be thought expedient. 14. 48. 33. 49. 8. 27. 42. 48. 63.

We also think a place of this description should have the security of a fire-engine within the walls.

The several books of the prison, viz. the commitment book, the discharge book, the chummage book, the habeas corpus book, the bond book, and the day rule book, 47.

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are all regularly kept by Mr. Nixon, and are perfect in their form. And we cannot conclude our Report without observing, which we do with pleasure, that whatever difference there may be on some points, in the evidence of some of the witnesses who have been examined, there is none in the testimony they unanimously bear to the kindness and humanity of Mr. Nixon.

With respect to the rules, orders and constitutions for the government and management of the Fleet Prison, we have observed that the general code now in force there, has been made by the court of Common Pleas, under the authority of an Act passed in the second of George the Second, chapter twenty-two, and an Act passed in the thirty-second of Your Majesty, chapter twenty-eight, whereby powers were given to the said court, in the case where no such orders had been previously made, to make new rules and orders with respect to the said prison, and to enlarge, alter, and amend any rules or orders made by virtue of the said respective Acts; and in order to carry into effect what we conceive to be Your Majesty's intention, we take the liberty of suggesting to Your Majesty such alterations and additions to the said rules as occur to us, with a view to the same being taken into consideration by the authority already vested and existing in the said court; which alterations and additions, consolidated with such of the former rules and orders as appear to us proper to be retained, we have annexed in a Schedule to this Report.

51. During the revisal of this Report, Mr. Nixon, the deputy warden, states to us, that in consequence of our observations, he has increased the salary of the chaplain to fifty pounds a year; that he has appointed the offices of cryer and scavenger to be executed by separate persons; that he has attended the chapel, either in person or by his clerk, every Sunday; that he has furnished a large room with six beds, for the accommodation of persons coming in the first night, at one shilling a piece, which he has found to be very convenient; and he further states, that he has ordered the turnkeys to prevent strangers coming in to go to the privies.

MARSHALSEA PRISON.

IN further Obedience to Your Majesty's commands touching the prison and gaol of the court of Your Majesty's palace at Westminster, and of the court of the Marshalsea of Your Majesty's honourable household, we have examined upon oath the several persons whose examinations we have subjoined in the Appendix to this Report, together with copies of all such written documents as they have produced.

85. This Prison, which has no external district like that which at the Fleet is called the Rules, appears to have been provided in the year one thousand eight hundred and twelve, to supply the place of an ancient prison known by the same name, at the distance of about one hundred and thirty yards, which had then fallen into a
133. state of decay, and was found to be ill suited to its purpose, although it had attached
134. to it a hall, in which not only the courts above mentioned, but also the High Court of Admiralty, used formerly to hold their sittings.

104. The prisoners liable to confinement in that prison appear, however, not only to
127. have been such as were amenable to the three courts just mentioned, but such like-
133. wise as were under sentence from naval courts martial. The present prison might
137. in the same manner, for any thing that we find to the contrary, be used for all the same purposes; but the jurisdiction of the court of Your Majesty's household, whether civil or criminal, has long since grown into disuse; and for some years past the High Court of Admiralty has not been in the practice of committing its prisoners either to the old or to this prison; so that the only prisoners now confined in it, or likely to be so, are of the two following descriptions, namely,

93. First,—Officers and privates of the royal navy under sentence of naval courts
133. martial for mutiny, desertion and other offences; the highest number of which,
94. during the last two years, has been ten, but it is now reduced to three, in conse-
188. quence of the Act of the fifty-sixth of Your Majesty, chapter five, which has empowered Your Majesty to cause such prisoners, although sentenced to the Marshalsea,

as

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as they still must be, to be confined in any other prison; a power which, since the passing of the Act, has been generally exercised.

Secondly,—Prisoners committed for debt, or for contempt, by Your Majesty's palace court, the jurisdiction of which extends to the distance of twelve miles round the Palace at Westminster; the greatest number of whom, during the two last years, has been one hundred and twenty-three, and is now one hundred and three. The aggregate number of prisoners of both these descriptions has never, during the said period, been less than ninety-six; the greatest influx has been occasioned by Acts for relief of insolvent debtors, and especially the last. The increasing business in the palace court may also probably create a permanent augmentation to the number of the prisoners. 183. 188. 188.

These being the numbers and descriptions of the prisoners, our inquiry was next directed to the fabric in which they are confined; and with this view, among others, some of us, without having given any previous notice, visited it personally on the twenty-fourth day of April one thousand eight hundred and sixteen, as will be seen by a report of that date, signed by Mr. Justice Park and William Walton, esq. and set forth in the Appendix; and on the twenty-seventh of June following, it was again visited by Sir William Scott and William Walton, esq. This latter inspection was indeed principally made with a view of inquiring into abuses; yet no complaint was made by any prisoner, although the said two Commissioners waited two hours in the prison, although notice had been given the day before of their intention to attend, and though sufficient notice was again given through the prison, of their actual attendance and readiness to hear all complaints. 2. 114.

From these inspections, as well as from the examinations hereunto annexed, it appears to us that this prison, although the greater part of it was built only about six years ago, is in many particulars much inferior to that of the Fleet, and to the generality of modern prisons. The form and dimensions of the building will be best understood by the plan, and by the description of the prison given by the witness William Jenkins, both of which we have caused to be annexed hereto. 2. 165. 166.

The boundary wall comprehends so contracted a space, and the body of the building is in all parts so near to it, as to leave no sufficient area for any active exercise except walking; nor is there any convenience for any sort of exercise in bad weather; but there is contiguous to the wall on the outside, a void space of ground of about two hundred and seventy-eight feet by forty-five feet, which, if purchased and securely inclosed, might be made to contribute to the comfort, health and cleanliness of the prisoners, and would afford the means of improving the drains. 2. 112. 121. 124. 125. 165.

The prison is separated into two divisions, one called the Admiralty division, and is appropriated to criminal prisoners, but does not appear to have been used for some years past for any except those under sentence of naval courts martial; and it affords no means of separating the officers from the privates, or prisoners committed for different offences, from each other. 165. 94. 105.

The only apartments in the Admiralty division are,—ten night rooms, one day room, and two strong rooms for refractory prisoners; six of the night rooms are on the upper floor, each of them fit for one prisoner; but the other four are on the ground floor, and open into the day room, which is also a kitchen; these four are too small and close to be used, except in cases of necessity; and as they appear to have been taken out of the day room, which is thereby too much contracted, that room might be improved by reuniting them; which we recommend, under the presumption that the late Act of the fifty-sixth of Your Majesty will render their continuance no longer necessary. The strong rooms having no admission for air, except through a grating in each door, are too close and damp, and therefore require to be better ventilated, and the walls themselves to be rendered stronger and more secure than they appear to be at present. There is no infirmary in this division; and the only yard for air and exercise is twenty-nine feet by twenty-three, in the middle of the building, and necessarily between high walls. This division was formerly part of the county gaol, and purchased from the county when the new gaol was erected in Horsemonger Lane. 93. 75. 21. 71. 88. 91. 106. 103. 123. 165. 71.

The other division of the prison, exclusive of the deputy marshal's house, and of the chapel, which is common to both, is properly for the reception of prisoners

from the court of Your Majesty's palace at Westminster, and of civil prisoners, if any there were, from the court of the Marshalsea of Your Majesty's honourable
77. household: It consists of three stories, containing fifty-six small rooms, most of
105. them about ten and a half feet square, and from eight to nine feet high; four of
165. these are appropriated to two of the turnkeys and their families, and two others to
166. the prisoner keeping the chandler's shop. Of the remaining fifty, seven, being the
71. whole of one staircase, are appropriated to females; and seven on another staircase, form what is called the Poor side; of the remaining thirty-six, being called the
105. Master's side, four have, till lately, been occupied by naval officers, committed under sentence of naval courts martial, who have been allowed this indulgence, as the only
104. means of separating them from the privates; but it may be expected that this accommodation will not be required in future.

71. There are also, in this division of the prison, the following rooms:—a public room
105. called the day-room, sometimes also called the kitchen; another room called the
106 ale-room, sometimes called the tap-room, and sometimes the coffee-room; above
123. these rooms, on the first floor, is one bed room for the person who keeps the tap, and one for one of the turnkeys; above these is an infirmary for men, and opposite to it, one for women; and between these two is a small room for a surgery. It appears from the evidence, that these infirmaries are stated to be properly warmed, and each of them capable of containing six beds; but there being rarely occasion to use the infirmary for any sick female, it is generally applied to the accommodation of prisoners on their first admission, and till they can provide themselves with bedding elsewhere; the bedding being there provided by the tapster at sixpence a night.

106. We are sorry to observe, of the Prison in general, that no part of it is secure
121. from escapes; the boundary wall being in some places too low, and without any cheveaux-de-frize or other guard; and what is of more importance, that it seems
2. impossible to render it sufficiently secure from fire, the rooms not being accessible, as in most prisons, by means of long galleries, and a stone staircase, but in the manner of chambers at the inns of court, by means of separate narrow wooden staircases, one in the Admiralty, and eight in the other division; the partitions moreover between the rooms are so thin, and of such combustible materials, and the space between the body of the building and the boundary wall is so narrow, that in case of fire, the whole structure might be rapidly consumed; and the
2. prisoners could only avoid extreme danger, by gaining a passage through the
67. prison gates. To afford some guard against such a calamity, a fire engine and
112. proper means of an immediate supply of water within the prison, seem to be highly expedient.

2. The chapel, which is common to both divisions, and measures about thirty-one
119. feet by twenty-six, is sufficiently commodious, and is furnished with a fire-place to
166. preserve it from damp.

The entrance to the Prison is through the house of the deputy marshal, which is
67. likewise sufficiently commodious; but the drains and privies of the whole Prison,
97. which, as well as the dust-holes, are very offensive nuisances, have been so ill-con-
112. structed that the former pass through a tunnel in the deputy marshal's cellar, sup-
124. ported by posts; and it is necessary that the soil from the privies should be carried
125. through his house not less than six times a year. The smell from the drains is in
2. part owing to the want of a sufficient descent to the river, which might perhaps be remedied in some degree by proper air-traps, and by raising the sinks to a height above the level of the highest tides. The tunnel under the house might also be removed, and the course of the drains be diverted with advantage through the void
165. ground already described, if that could be procured; which might also furnish better
99. means of emptying the privies and dust-holes. There is within the prison a pump
112. and well of spring water, but it is said to be chalybeate and not very good. The
2. general supply of Thames water from the London Bridge waterworks, which is used
67. by all the neighbourhood, was always abundant and constant, except on Sundays,
76. and since the late addition of a cistern, is equally so at all times; this cistern also
97. furnishes the means of cleansing the impurities of the water, which was before a
71. a subject of complaint; as, if properly managed, the impurities may subside before it is drawn for use.

From

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From what has been stated, it appears to us, that although some of the above defects may be entirely removed, and others considerably alleviated, yet that no adequate security against fire, and consequential escapes, can be otherwise obtained than by nearly rebuilding the whole edifice; an expense which perhaps it might not be so prudent to incur, as to erect a new one on a site more extensive and better adapted to the various purposes of such a place of confinement.

The Prison is whitewashed once a year, and kept in repair by the Board of Works, under the direction of the Treasury, except on trifling occasions, when repairs are done by order of the under-marshal, and charged in his account with the Treasury. 85. 93. 106.

The articles of bedding and other furniture, utensils, food, fuel, clothing, washing, medical assistance, including nurses and medicines, have also engaged our attention; and so far as concerns the Admiralty prisoners we need only observe, that they appear, from the evidence stated in the Appendix, to be liberally supplied in all those particulars, whenever necessary, upon a proper representation to the Lords of the Admiralty, at the public expense. On the Master's side of the Debtors division, the articles of bedding and furniture, utensils, food, fuel, clothing and washing, are found by the prisoners at their own expense; on the Common side, a considerable portion of the cost of the above articles, is defrayed out of the charitable funds specified in the Appendix; and in cases where any prisoner has been so poor as to be unable to supply himself with necessary food and clothing, and the above funds have been insufficient for the purpose, the deficiency had been supplied by the under-marshal, who has been reimbursed by the Treasury. 70. 124. 93. 104. 135, 136. 81. 95. 107. 161. 162. 110. 72. 90. 100. 125.

Medical assistance for both divisions of the Prison is provided as hereinafter mentioned, and appears to be regularly and duly administered.

The Prison appears to be as cleanly as can reasonably be expected, under all the circumstances before mentioned; and we find every reason to believe it has been uniformly healthy.

The list of donations, the clauses against the use of spirituous liquors, the table of fees, and the rules and orders for regulating the Prison, are now all hung up in the lobby, the day-room and the ale-room in the debtors part of the Prison; but not in the Criminal or Admiralty divisions. 68. 69. 112. 112.

The whole Prison appears to be subject to the superintendence of the courts of Your Majesty's Palace at Westminster and the Marshalsea; the judges of which are the lord steward, the marshal of the household, and the steward of the court; to these courts complaints of abuses may be made. The judges of these courts also have occasionally visited the Prison to inquire into the state of it; but the power of making rules and regulations for its government, is vested, by the thirty-second George the Second, chapter twenty-eight, in the two chief justices, the chief baron, or any two of them, with three or more justices of the peace for the county of Surrey. 131. 76. 129. 132.

The knight marshal, as he is commonly called, is constituted by letters patent marshal of Your Majesty's household, and marshal of the marshalsea of the household, and is thereby empowered to appoint a deputy marshal; and as marshal of the household, is, by virtue of letters patent of King Charles the Second, empowered to appoint a sub-marshal and keeper of the prison of the court of Your Majesty's palace at Westminster; such of his emoluments as arise from his connection with the Prison consist of fees, a schedule of which is annexed to his patent, to the value of about twenty pounds a year; to which is added a salary of two hundred and seventy-one pounds a year, which is charged on the establishment of Your Majesty's household. Sir James Bland Burgess, the present knight marshal, says he does not consider himself responsible for escapes of any persons committed by process issuing from the Palace court, and disclaims any jurisdiction in the management and direction of the Prison, as far as concerns the Palace court, except only in his capacity of one of the judges of that court. How far he may be justified in this opinion, is a question of great legal importance, upon which we have no authority to decide, and upon which it would be improper in us to give any opinion. 127. 183. 77. 82. 130. 76. 82. 129. 133.

86. 127. 131. 183. The officers of the Prison are,—the deputy marshal and keeper of the prison of the Marshalsea, the under marshal and keeper of the prison of the Marshalsea and Palace courts, a first and second turnkey, and two watchmen, besides the chaplain and the surgeon.

67. 186, 187. 127. 131. 175. 72. 113. 83. 129. 70. 82. 102. 70. 83. The offices of deputy marshal and under marshal have always been held by the same person, and John Cruchley, gentleman, has been appointed to both by the knight marshal for life; he resides in a house which forms the entrance to the Prison; the custody of the prisoners is committed to him; he gives security to the knight marshal: and it is his duty to preserve order and good government within the whole Prison; for which purpose he goes round it occasionally, and when he deems it proper inspects the rooms; he has a salary of three hundred pounds a year; besides which he is entitled to the prison fees set forth in the Appendix; he also receives ten shillings and sixpence a week from the person keeping the chandler's shop, and two guineas a week from the person keeping the tap; a sum which appears to have been so paid without any variation, or any reference to the increased or diminished profits of the tap; but he receives no rent for the rooms occupied by the prisoners; and all his emoluments, including his salary, amount to about six hundred pounds a year.

120. 120. 159. The first turnkey, called door-keeper in the knight marshal's patent, has been also appointed for life by the knight marshal. The security of the doors and the safe custody of the prisoners are principally committed to his care under the deputy marshal, whom he obeys, and to whom he considers himself responsible as his immediate superior, as well as to the knight marshal, to whom he gives security by bond in the penalty of one thousand pounds. The officers under him he considers as being responsible to him as well as to the deputy marshal; he has a yearly salary of eighty pounds, and fees to the annual amount of about twenty pounds, which are stated in the Appendix.

131. The knight marshal having some years ago been authorized by the Treasury to appoint three additional subordinate officers to the Prison, namely, the second turnkey and two watchmen, empowered the deputy marshal to appoint the same, who has verbally appointed them during pleasure.

73. 109. 159. 102. 109. 115. 102. The duty of the second turnkey is similar to that of the first turnkey; he has a salary of seventy pounds a year; he is also appointed by the deputy marshal to be his clerk or clerk of the papers, and his duty in that capacity is to keep all the books belonging to the prison; to make out, when required, copies of the material memorandums respecting the commitment or detainer of each prisoner, commonly called a copy of causes and copies of rules, to compel plaintiffs to proceed; and to attend the court to receive prisoners who are surrendered; but he accounts to the deputy marshal for all fees received in respect of any of those duties, and receives from him a yearly salary of fifty pounds, besides the salary of seventy pounds before stated, in lieu of all fees, perquisites, and emoluments.

159. The first watchman, who also acts as a third or assistant turnkey, is paid a yearly salary of sixty pounds, and is not entitled to any fees.

159. The second watchman, who is in fact the only night watchman, is paid a yearly salary of fifty-five pounds.

All these salaries, like that of the knight marshal, (excepting that of the clerk of the papers) are borne on the establishment of Your Majesty's household.

164. 92. 106. 111. 122. 115. The prisoners appoint one of themselves to act as their secretary, who is by them paid seven shillings a week; for which payment he is required to perform the services specified in the fourth article of the Regulations agreed upon by the prisoners, set forth in the Appendix. They also appoint a prisoner, who is by them paid seven shillings a week to act as scavenger, to do the service specified in the sixth article of the same Regulations. The poor prisoners who are entitled to receive the charities, appoint a steward to receive and distribute them, and he is at present the same person who acts as secretary.

69. 107, 123. The surgeon, Mr. Phillips, who is also apothecary, and at present resides within three hundred yards of the prison, was appointed by the knight marshal for life,

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by a written instrument, in the year one thousand eight hundred and five; the surgeon was formerly remunerated by the collection of a shilling from every prisoner on his discharge, under the authority of the table of fees set forth in the Appendix; but since the appointment of Mr. Phillips, he has received a salary of fifty pounds a year from the Treasury for medicines and attendance. When this salary was fixed, it seems to have been understood that the said charge of one shilling upon the discharge of prisoners, should be discontinued, and it was not afterwards claimed by Mr. Phillips; as, however, the demand was originally established by legal authority, it was still collected by the late deputy marshal, who seems to have applied it to his own use; but the present deputy marshal, since his appointment, paid all that has been collected by himself to Mr. Phillips; in consequence of which, Mr. Phillips has abstained from applying for an increase of salary, which he intended otherwise to have done, considering fifty pounds a year as an inadequate remuneration; and it is to be considered whether the above charge on the prisoners should not be wholly discontinued, and some addition made, if thought proper, to the salary of the surgeon. He attends whenever he is wanted, and keeps a report book of the state of the invalids, expressing their situation and wants; which book is left with the deputy marshal, and serves to prevent his being imposed upon by feigned sickness. In protracted cases, he furnishes the deputy marshal with a special certificate, to justify the charges which the deputy marshal makes on the treasury for sick diet and other extra allowances upon such occasions. The surgeon also makes a weekly return of the sick to the court. He considers his attendance on females in labour as a matter of courtesy, but does not recollect more than one case of that sort in five years. His patients have not been numerous; sometimes four or five, sometimes none, the Prison in general being very healthy; he never remembers any epidemic disease in it since it was rebuilt in the year one thousand eight hundred and twelve.

124, 125. 126, 128. 188, 88. 72. 72. 126. 124. 172. 125. 88, 94. 123, 124.

The chaplain was appointed for life, by the knight marshal, in one thousand seven hundred and ninety-six, with a yearly salary of fifty pounds, allowed on the establishment of Your Majesty's household; but he never attends personally, the duty being performed by a substitute or curate, to whom he pays only twenty pounds a year, in addition to the fees stated in the Appendix, amounting to near twenty pounds a year; this curate pays to a clerk, whom he selects from the prisoners, one shilling a month. He is in the habit of performing the following duties; namely, one full service on Sundays, Christmas-days, Good Fridays, and fast days, the service beginning at half after twelve o'clock, except on the first Sunday in the month, and then at a quarter before two o'clock.

86. 128. 173. 116. 72. 118. 2. 75. 113. 119.

The Admiralty prisoners are always compelled to attend Divine Service, except in case of sickness; the number of other prisoners attending is commonly from fourteen to twenty, except on the first Sunday in every month, when the hour of service particularly interferes with their dinner time. The behaviour of the congregation is stated to have been always decent.

75. 118.

There is a seat from which one of the officers can observe the congregation, and for this purpose, the second turnkey generally attends; but it does not appear that the deputy marshal ever attends; no bibles or common prayer-books are found for any of the prisoners, civil or criminal, and even the bible for the chapel has been provided at the expense of the curate. He has never visited the Admiralty prisoners or others for the purpose of private admonition or instruction, and has very rarely visited sick prisoners, although he considers himself bound to attend in all cases, on being required so to do.

87. 113. 117.

The sacrament has not been administered for some years past, for the reasons stated in the evidence before a Committee of the House of Commons, set forth in the Appendix; but which appear to us not sufficient to justify the total discontinuance of this service. The above-mentioned hours of service, viz. half past twelve, and a quarter before two, appear to be inconvenient to the generality of the prisoners; and if only one service is required, the hour of eleven seems more suitable, and more likely to invite the fullest attendance.

119. 113.

We highly disapprove of the office of chaplain being executed by deputy; and many of the defects in this establishment might at once be remedied, if the whole

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salary of fifty pounds, together with the fees, which are now about twenty pounds, were to be enjoyed by the minister who personally officiates; and if his duties were more particularly specified in a rule to be framed for the chaplain's instruction; and if in addition some allowance was made for furnishing the chapel with a proper supply of bibles and prayer-books.

161, 162. 167, 168. 169, 170. 72, 73. 90. 111. 115. The charitable funds belonging to this Prison are stated in the Appendix; two of these, the Oxford and Dr. Pilling's charities, are applied by the under marshal to the payment of fees incident to discharges, and towards compositions with plaintiffs; the receipt and distribution of all the rest, is by a steward appointed by the prisoners on the Poor side of the prison, and according to rules made by themselves.

113. An account of the receipts and disbursements of all the charities, is delivered into the court upon oath every half-year, under the direction of the court, given by the present steward, Burton Morris, esquire, and is there audited by the deputy prothonotary.

HAVING thus reported the result of our Inquiries respecting the number and descriptions of the Prisoners, and of the Officers of the Prison, and of the State of the Fabric, we proceed next to what seems worthy of notice, under the heads of Management and Conduct.

2. The criminal prisoners are placed, by order of the deputy marshal, in the apartments most proper for their reception; but the Criminal division of the Prison has been for some years too small to receive them all; that defect, however, will probably be remedied by the late statute before-mentioned.

74, 78. 79, 80. 108, 109. 110. The prisoners in suits between private parties being so numerous as to render it necessary to lodge, generally, two of them, and frequently three in the same room, we inquired into the mode by which the distribution was made, and we found it to be invariably governed by a system of chummage, so nearly resembling that in the Fleet, apparently approved of by the prisoners, and so little objectionable, as not to demand, in our opinion, any alteration.

68. 99. 100. 111. 164. 108. 74. 122. The wives and children of the civil prisoners are permitted by the deputy marshal to sleep in the prison without any express regulation. Women in general have been admitted without any inquiry, and allowed to remain there, unless when guilty of some apparent misbehaviour. All the civil prisoners may, if they please, procure their food from without the Prison, and dress it in their own private rooms; but for their general accommodation there are set apart two rooms within the Prison, as has been mentioned before, viz. a day-room or kitchen, and the ale-room, tap-room or coffee-room; in the kitchen the fire is paid for out of a general contribution, which serves to provide other articles stated in the prisoners Regulations. On the first admission of a prisoner on the Civil side, the secretary above mentioned shows him the Regulations made by the prisoners; in about an hour after this, he is furnished with a chum-ticket, which entitles him to the whole or a part of a room, and he is admitted to the day-room and the accommodations thereof, on payment to the secretary of five shillings and sixpence by the men, and two shillings and sixpence by the women, sums fixed by the prisoners themselves, towards a common fund, which serves to provide coals, candles, and a newspaper for the day-room, to pay the secretary and scavenger, and find mops and brooms for cleansing the day-room.

74. It sometimes happens, when a prisoner is too poor to pay that sum, that his fellow prisoners make a subscription and pay it for him.

If these sums were to be applied to any improper purposes, or to the purchase of articles which the law requires to be provided by the public, the payment of them ought to be prohibited; but we are not aware that any provision is made by law for the supply of such articles for civil prisoners in other prisons, at the expense of the public; and we are therefore apprehensive that to prohibit these contributions might be productive of an increased expense and inconvenience to the prisoners; yet as it is a practice liable to abuse, the collection and the expenditure of such a fund, ought

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ought not to be conducted with any secrecy, and should always be an object of the deputy marshal's vigilant attention.

As to fees paid by the prisoners on the Civil side, none are due on their first admission, but such as are payable at subsequent times, are enumerated in the List subjoined to the Appendix. 130.

The only article supplied in the Prison, of which any complaint has been made, is the beer; but that grievance, if it ever existed in reality, has been already redressed by a change of the brewer. 70, 89. 97, 98. 101,

Though we are aware of the general objection to persons who have the superintendence of gaols having any interest in the sale of liquor to the prisoners, yet as the statutable provisions on this subject do not appear to have been extended by the legislature to the gaols that are the subject of this Report; as no inconvenience appears to have arisen from it in those prisons; and as, if this source of profit were to be taken from the keepers and transferred to some other person, it would probably be thought necessary that a compensation to the keepers for the loss should be made at the public expense; we have not thought it necessary to suggest any alteration upon this subject.

With respect to the means used for preventing escapes, the criminal prisoners are locked into their night rooms at dusk, and not let out till eight in the morning. The only outer gate of the prison is locked every night at ten, and not opened till eight in the morning throughout the year, except in case of illness or other cases of urgent necessity; but in the day-time it is opened for the admissions of all persons, who desire to see any of the civil prisoners; and the criminals are permitted to see their friends from twelve till four, except on Sundays, and on that day from one to five. 84. 93. 105. 68. 110. 91. 105.

If any strangers behave improperly, they are excluded; otherwise, they are permitted to remain within the walls till they are warned out in the evening by the ringing of a bell, and by one of the officers who goes round the prison for that purpose, calling aloud, "Strangers, women and children all out!" But it does not appear that any particular means are taken to enforce an obedience to this call. 110. 63.

The tap and the day room are also both shut, and the prisoners within them are obliged to retire at eleven o'clock every night, except on Mondays, on which day the prisoners in the evening hold a weekly club, when the day room is not shut till twelve. 83. 110.

With respect to the conduct of the prisoners, there does not appear to have been any material ground of complaint; slight disturbances have occasionally occurred, particularly among the Admiralty prisoners, but they have been easily repressed by the officers within the prison, except in one instance, where it became necessary to call in the peace officers; and much of the cleanliness, order and regularity which is for the most part observable among the civil prisoners, may perhaps have been materially promoted by the rules and regulations which they themselves have made. 71. 85. 105. 111.

As to the conduct of the officers, we have not met with any complaint from the prisoners; but we cannot avoid submitting to Your Majesty's consideration, whether any of the officers appointed by the knight marshal ought in future to be appointed for life, or any longer than during pleasure. 130. 2.

In a Prison like this, which is not supported at the county expense, where the criminal prisoners are so very few, and the debtors though numerous are perpetually changing, and above all, where the yards and rooms are so small, it was little to be expected that any general means of employment could be provided for the prisoners; but the debtors and criminals are all permitted to work at their own trades for their own profit, provided they are such as can be carried on without endangering escapes, and without annoyance to their fellow prisoners. The provisions upon this subject, of the thirty-first of Your Majesty, chapter forty-six, do not seem to extend to the prison of the Fleet or this Prison; nor indeed do these Prisons, in their present state, seem properly calculated to enable the prisoners to receive the benefit of such provisions. 108.

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The general Rules and Regulations now existing for the conduct of the prison and the prisoners, appear to have been all made by the under marshal, and are few in number; it does not appear that any such rules and orders have been regularly made under the authority of the thirty-second George the Second, chapter twenty-eight; and we take the liberty of suggesting to Your Majesty, for the government of this Prison, as we have before done for the government of the Fleet Prison, such alterations and additions to the above Rules and Regulations as have occurred to us, with a view to their being taken into consideration, under the authority aforesaid, and have annexed them in a Schedule to this Report.

29th October 1818.

ELLENBOROUGH.

(L. S.)	N. VANSITTART.	(L. S.)
	C. BATHURST.	
(L. S.)	V. GIBBS.	(L. S.)
	W. SCOTT.	
(L. S.)	W. GARROW.	(L. S.)
	F. BURTON.	
(L. S.)	HUGH LEYCESTER.	(L. S.)
	J. A. PARK.	
(L. S.)	SAM^{L} HEYWOOD.	(L. S.)
	WM. WALTON.	

I do hereby certify, That the within-named *Edward* Lord *Ellenborough* died, after having subscribed his Name to the above Report, without having put his Seal thereto.

H. Leycester.

RULES AND ORDERS

SUGGESTED FOR

THE FLEET PRISON.

No. 1.—THAT it is and shall be lawful to the Warden and his Deputy to take order from time to time that no person coming to the Fleet do carry any weapon further than the porter's lodge, be he a stranger or other, unless he be licensed so to do by the discretion of such as the same Warden shall appoint to keep the gate there.

No. 2.—THAT it may be lawful for the said Warden or his Deputy, and so many of his household as shall be thought needful, to keep watch, armed or otherwise, within his precinct at all times, as he shall see cause, for his better safeguard, if he shall suspect any prisoner within his custody to intend to make an escape.

No. 3.—THAT it may be lawful for the said Warden or his Deputy to take order at all times for so much as shall be gathered at the box, or otherwise generously given to the poor men there, for the distribution thereof amongst them, if any contention shall arise; and that the said poor men shall always keep one key of the said box, and another key to be at the Warden's or Deputy Warden's appointment, if he shall require it.

No. 4.—IF the prisoners on the Master's side refuse or be not able to pay their chamber rent, then and in such case the Warden or Deputy Warden has liberty to turn them out of his or her chamber; but no prisoner to be confined under the pretence of non-payment of chamber rent.

No. 5.—THE Warden or his Deputy shall open the outer gate at seven o'clock in the morning from Lady-day to Michaelmas, and at eight in the morning from Michaelmas to Lady-day, and shall lock the same gate for the night at nine o'clock every evening, except in term time, and then at ten o'clock; and the coffee-room, the tap-room and the cellar-head, shall be shut and locked at eleven o'clock every night, and no person shall be permitted to remain therein after they are so shut and locked.

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No. 6.—That the Warden or his Deputy shall not detain any prisoner's goods, but that the said Warden or his Deputy have liberty to detain the person of such prisoner or prisoners, after they are discharged by their creditors, until all lawful fees and dues shall be fully paid and satisfied.

No. 7.—That the Warden or his Deputy shall keep a strong room for the confinement of persons endeavouring to make their escape, or guilty of any other misdemeanor, that the general quietness and liberty of the rest of their fellow prisoners may not be restrained or suffer thereby.

No. 8.—That the Warden or his Deputy do take care that the chapel be kept in good repair, and that Divine Service be performed, and the sacrament of the Lord's Supper be administered therein at the usual and proper times, according to the rites and ceremonies of the Church of England; and all prisoners are required to attend at the times aforesaid, and not to absent themselves from the said chapel without reasonable cause; and that the Warden, the Deputy Warden, or his Clerk, do attend the chapel during Divine Service; and that during such time the gate of the prison be kept shut, and no beer be permitted to be brought into the prison; and that the coffee-room, tap-room and cellar-head be also kept shut, and no person be allowed to remain therein.

No. 9.—That the Warden or his Deputy do cause the stocks to be kept up in the said prison (as has been anciently practised) for the punishment of such prisoners as shall blaspheme the name of God, be guilty of profane cursing, or shall behave themselves in a disorderly manner.

No. 10.—That no prisoner do take possession of any chamber within the prison but with the consent of the Warden or his Deputy, or pull down any partition, or make any other material alteration there, without the consent of the Warden or his Deputy, but that the disposal and appointment of the chambers or rooms within the said prison be in the Warden or his Deputy only, yet so as neither of them do turn any prisoner out of possession who shall be rightfully possessed of a chamber, without reasonable cause; and that every prisoner on his or her discharge do deliver to the Warden or his Deputy the key of his chamber, and all the Warden's or Deputy Warden's furniture therein.

No. 11.—That the Warden or his Deputy may turn any prisoner out of his chamber to the Common side that shall refuse or neglect to pay his or her chamber rent for the space of three months; and that the Warden or his Deputy shall in such case cause an inventory to be made of the prisoner's goods and effects (if any) signed by two witnesses, and shall immediately deliver such goods and effects to such prisoner; but the Warden or his Deputy may still detain the person of such prisoner, though discharged by the plaintiff, or in any other manner, until his arrears of chamber rent be fully satisfied and paid.

No. 12.—That no prisoner or other person shall keep any public room within the said prison for selling any victuals, wine, beer, ale or other liquor, without leave from the Warden or his Deputy; and if any prisoner or prisoners shall offend in the premises, it shall be lawful for the Warden or his Deputy to turn him or her or them out of their room or rooms to the Common side; and the Warden and his Deputy are hereby required to take care that good order be kept in such public room or rooms as shall be allowed by either of them to be used as aforesaid.

No. 13.—That the Warden or his Deputy do take effectual care that every prisoner committed to his custody be conveyed to the prison of the Fleet, without being carried to any public victualling or drinking house, or the private house of any tipstaff, officer or minister of the Fleet, or of any tenant or relation of his, without the free and voluntary consent of the person or persons so in custody; and that no garnish or money shall be extorted by any prisoner or prisoners committed, for his coming into the said prison.

No. 14.—That the Warden or his Deputy do cause a table of the gifts and bequests made for the benefit of the prisoners of the Fleet, expressing the particular purposes for which the same are given, to be fairly written in a plain and legible hand, and to be hung up in the room called the Begging Grate of the said prison; and that the Warden or his Deputy take care that no prisoner or prisoners be deprived or defrauded of his her or their shares, dues or dividends of the charities so

 given

Rules and Orders suggested for The Fleet Prison.

given; and that no cellarman, turnkey, or other officer or servant of the Warden or his Deputy, shall have any share or part in any charity given to the prisoners, or bear any office in the said prison which may entitle him to any power in the receipt or disposition of such charity.

No. 15.—That every prisoner who shall make oath before one of the judges of the court from whence the process issued, upon which he or she shall be taken or charged, or before a commissioner empowered by such court, that he or she is not worth five pounds, exclusive of bedding and wearing apparel, and cannot subsist without the charities belonging to the prisoners of the Fleet, shall immediately be admitted to all shares, dividends, and profits arising from such charities.

No. 16.—That a room be kept as an infirmary for the use of the male prisoners who shall fall sick of such diseases as shall require their being removed to prevent infection, or for due care and relief; and also another for the females, when necessary and that no prisoner shall be obliged to lie in the same bed with a diseased person.

No. 17.—That the Warden or his Deputy shall take care that the prison house and windows be kept in good and necessary repair, and the drains, bog-houses and dunghill clean and free from stench and noisomeness.

No. 18.—That when any prisoner dies within the said prison, the said Warden or his Deputy shall forthwith give notice of such death to the Coroner; that the said Coroner may inquire, according to law, how such prisoner came by his death; and the said Warden or his Deputy shall detain the body no longer than till the Coroner's inquest have made their inquisition, which shall be done with all convenient speed; and that immediately afterwards the dead body shall be delivered to the prisoner's friends or relations, if they desire it, without fee or reward.

No. 19.—That the Warden or his Deputy do not sue or procure to be sued out any writ of habeas corpus to remove any prisoner from the prison of the Fleet to the prison of the King's Bench.

No. 20.—That the Warden or his Deputy shall keep a book, in which all commitments shall be fairly entered, in the words of such commitment, within fourteen days after any prisoner shall be committed.

No. 21.—That the Warden or his Deputy shall keep another book, containing the names of every prisoner actually brought into the Fleet and taken into the house, with the name of the party at whose suit he shall be committed, and the time when the prisoner was brought to the Fleet and received into the prison, specifying withal the court or judge by whose authority he shall have been committed.

No. 22.—That every tipstaff to whom any prisoner shall be delivered in custody at a judge's chambers, shall keep a book, containing the name of such prisoner and the time when he was taken into custody, to be signed by such judge's clerk; and such judge's clerk shall keep another book, in which the like entry shall be made, signed by the tipstaff.

No. 23.—That the Warden or his Deputy shall keep a book, in which memorandums shall be entered of all declarations delivered to the turnkey or porter against any prisoner in the Fleet prison, containing the names of the parties, the cause of action, and the time when such declaration shall be delivered.

No. 24.—That the Warden shall keep a book, in which all discharges of prisoners shall be fairly entered; which entry shall specify how such discharge was made, whether by the plaintiff by supersedeas, or otherwise; and such entry shall be made within five days after every discharge.

No. 25.—That the Warden or his Deputy shall keep a book, in which every writ of habeas corpus upon which the prisoner shall not be committed, or the custody altered, with the return of every such writ of habeas corpus, shall be fairly entered.

No. 26.—That all the books before mentioned, except the books of the tipstaffs and judges' clerks, shall be kept in the public office of the clerk of the papers of the Fleet; and that all persons shall have liberty to resort to them and take copies, as there shall be occasion.

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No. 27.—That no clerk, officer or servant whatsoever, belonging to any judge of the Court of Chancery, Common Pleas or Exchequer, shall directly or indirectly demand, receive or take any gratuity, fee or reward, for or by reason of any petition, complaint or application that shall be made by any prisoner or prisoners of the said prison, pursuant to or founded upon any of the Rules and Orders hereinbefore mentioned, or concerning any misgovernment in the Fleet.

No. 28.—That the said Warden and his officers do treat the several prisoners in his custody with all tenderness and humanity; and that such prisoners do behave themselves towards the Warden or Deputy Warden, with that submission and regard which the law requires.

No. 29.—That no prisoner in the custody of the Warden of the Fleet, shall be allowed to continue in the possession of any room which he or she had become entitled to by reason of seniority, after he or she shall have been supersedeable for the space of one month; but that the Warden or his Deputy shall, after the expiration of such time, cause such supersedeable prisoner to quit possession of such room.

No. 30.—That no prisoner shall be entitled to any room in the said prison by seniority, except from the time of his or her being charged in the action in which he or she is not supersedeable.

No. 31.—That all houses or places used as lottery offices, in which tickets, shares of tickets, or chances depending on the drawing of tickets, are exposed to be sold, shall be excluded out of and be deemed no part of the Rules of the Fleet prison.

No. 32.—That no prisoner or prisoners who shall be charged with any writ of attachment of contempt issuing out of any court of equity (except for non-payment of money only) shall be entitled to or admitted to any shares, dividends, or profits arising from any charities belonging to the begging-grate of the said prison.

No. 33.—That no woman (not a prisoner) or child shall be permitted to sleep in prison without the express authority of the Warden or his Deputy; and that in all cases where such permission shall be required, the names of the wife and children shall be specified and registered in a book to be kept for that purpose, without any fee or gratuity for the same; and that no other woman than the one specified as his wife, shall be allowed to cohabit with the prisoner so applying; and that this indulgence be so limited, that in no case it may interfere with the regular distribution of the rooms on the Master's side, among the prisoners, to whom the same ought, according to the rules of the prison, to be appropriated; and so that no man or woman be allowed to sleep in the same room with a man and his wife.

No. 34.—That whensoever it shall appear that any person having the benefit of the Rules, shall during such time as he shall have had the benefit of such Rules, have escaped or gone at large out of and beyond the limits of the said Rules, in every such case every such person shall thenceforth lose and be deprived of the benefit of such Rules, and be thereafter wholly incapable of enjoying the same under any grant thereof, and shall thenceforth be kept and confined a prisoner within the walls of the said prison, unless the court out of which the process against such prisoner shall have issued, shall otherwise order.

No. 35.—That the Warden or his Deputy do present to the judges of the Court of Common Pleas and Court of Exchequer, respectively at their chamber at Westminster Hall, within the first four days of every term, a list of all such prisoners as are supersedeable; showing as to what actions, and on what account they are so, and how long they have been so, and as to what actions, if any, they still remain supersedeable.

No. 36.—That no assembly or meeting of the prisoners, either for the examination into the conduct of any prisoner or any person whatsoever, or for any other purpose, be held without the permission of the Warden or his Deputy, given in writing; and that there shall be no crying or advertising, directly or indirectly, for stolen, lost, or found goods, nor for any other purpose whatsoever, except by the cryer appointed by the Warden or his Deputy, and in such manner as shall be by him directed.

Rules and Orders suggested for The Fleet Prison.

No. 37.—That no prisoner, whether having the benefit of the Rules or not, be permitted to go to the sessions house of the Old Bailey during the sitting of any court there held, without the express authority of the Warden or Deputy Warden in writing, or by order of such court.

No. 38.—That the sale of spirits within the prison, and intoxication and all gaming amongst the prisoners be prevented as far as may be, and punished as the case may require, wherever the offenders are discovered, by such privations and means as the Warden or Deputy Warden can resort to for that purpose, according to the Regulations of the prison.

No. 39.—That a room be provided with beds and bedding, by the Warden or his Deputy, for the accommodation of the prisoners for the first night after their admission, and if necessary, for the second also, for which he shall be entitled to receive one shilling a night for each person that may be so accommodated.

No. 40.—That the Warden or Deputy Warden do inspect from time to time the beds and bedding belonging to the prisoners in their respective rooms, and direct the cleaning and removal from the prison, or destruction, according to his discretion, of such articles as shall appear noisome or offensive, and likely to become nuisances to the inhabitants of the prison; and that he enforce the attention of the prisoners to the cleanliness and airing of their respective rooms, and direct the prison to be whitewashed as often as the health or comfort of the prisoners may require it.

No. 41.—That if any person break any of the aforesaid Rules, or is guilty of any misconduct, he be punished by confinement, at the discretion of the Warden or Deputy Warden, or otherwise according to law.

RULES AND ORDERS

SUGGESTED FOR

THE PRISON OF THE MARSHALSEA AND PALACE COURTS.

No. 1.—THAT the gates of this prison be opened every morning during the year at eight, for the admission of visitors and others, and continue so till the hour of ten in the evening; except that on Sundays, Christmas-day, Good Friday, Thanksgiving-days and Fast-days, they are to be closed during the time of Divine Service. At locking-up for the evening, the keys to be delivered to the Deputy Marshal, and to remain with him, unless any prisoner should be taken ill and require the assistance of the surgeon, or for any other adequate special purpose.

No. 2. That the cells of the Admiralty prisoners be unlocked at eight in the morning during the year, and their allowance be then delivered to them; that visitors be admitted to them between the hours of twelve and four in the afternoon, except during the time of Divine Service; and that a short time before dusk the cells be finally locked up for the night.

No. 3.—That the tap be open for the accommodation of prisoners till the hour of eleven, when they are to retire to their own rooms.

No. 4.—That all debtors, at the time of their being brought into custody, or within an hour after, be furnished with a chum-ticket in the regular order of the chum-list, without any favour or partiality whatever; and that no fee or reward be taken by any of the established officers of the prison for that purpose.

No. 5.—That the Steward of the Common side do keep a regular account of all charities and donations received by him, and of their just and equal distribution; and also that he submit such account to the inspection of any of the prisoners on the Common side, and to the Deputy Marshal, whenever he is required so to do.

No. 6.—That the prisoners intending to claim the benefits of the Common side, do apply to the Steward or Secretary to prepare the necessary affidavit, and upon the usual oath before the Deputy Marshal, they shall be entitled to participate therein; and those prisoners also who are desirous of receiving the county allowance

allowance of sixpence per diem, shall receive the same on the usual days of payment, on their conforming to the rules mentioned in the Act of Parliament.

Rules and Orders suggested for The Marshalsea and Palace Courts Prison.

No. 7.—That the Chaplain do perform Divine Service every Sunday, Christmas-day, Good Friday, Thanksgiving-day and Fast-day, between the hours of ten and one o'clock, throughout the year, and deliver a sermon or other suitable discourse to the congregation; and do administer the sacrament of the Lord's Supper according to the rites and ceremonies of the Church of England, at the usual and proper times, and attend the prisoners when called upon to do so. The Deputy Marshal or his Clerk, and such of the other officers of the prison as can conveniently be spared for that purpose, shall also attend; and during service the gate of the prison shall be kept shut, and no beer permitted to be brought in. The day room shall also be kept shut, and no person be permitted to remain therein but for culinary purposes, or in case of sickness; the tap-room shall likewise be kept shut, and no person permitted to remain there. All prisoners shall at all times attend the ordinary service of the chapel, unless in case of sickness, or other sufficient cause is shown for their absence.

No. 8.—That the Surgeon do visit the prison once a day, if necessary, or oftener if required, and report when it is proper to remove sick persons into the infirmaries; he is to keep a diary of their complaints, and the progress of their disorder and recovery; and he is on every court day to prepare a weekly statement of his patients and their complaints, for the inspection of the judge or judges of the said courts, and to sign the same with his own name; no fee or reward to be taken by him or his assistants for extra attendance or otherwise.

No. 9.—That no filth or rubbish of any kind be thrown about the yards of this prison, or any other nuisance or dilapidations be committed on any of the walls or staircase; and that the dust bins be emptied once a week, at least, in summer, and the privies as often as occasion may require.

No. 10.—That all strangers, visitors and others, who shall be found guilty of any misbehaviour, shall immediately be turned out.

No. 11.—That the Deputy Marshal take order from time to time that no person coming to the prison, do carry any weapon further than the lodge, be he a stranger or other, unless he be licensed so to do by the discretion of such person as the Deputy Marshal shall appoint to keep the gate.

No. 12.—That no prisoner or other person shall keep any public room within the said prison for selling any victuals, wine, beer, ale, and other liquor, without leave of the Deputy Marshal; and if any prisoner or prisoners shall offend in the premises, it shall be lawful for the Deputy Marshal to turn him, her or them, out of their room or rooms to the Common side; and the Deputy Marshal is hereby required to take care that good order be kept in such public room or rooms as shall be allowed to be used as aforesaid.

No. 13.—That the Deputy Marshal do take care that the prison house and windows be kept in good and necessary repair; and the drains, bog-houses and dunghill clean and free from stench and noisomeness.

No. 14.—That the Deputy Marshal shall keep a book, in which shall be entered copies of the warrants of commitments, and the discharges of all criminal prisoners.

No. 15.—That the Deputy Marshal shall keep a book, containing the names of every prisoner, stating the time when actually brought into the prison, with the name of the party at whose suit he shall be committed, and the time when the prisoner was received into the prison.

No. 16.—That the Deputy Marshal shall keep a book, in which all commitments shall be fairly entered in the words of such commitment, within fourteen days after any prisoner shall be committed.

No. 17.—That the Deputy Marshal shall keep a book, in which memorandums shall be entered of all declarations delivered to the turnkey against any prisoner in the prison, containing the names of the parties, the cause of action, and the time when such declaration shall be delivered.

Rules and Orders suggested for The Marshalsea and Palace Courts Prison.

No. 18.—That the Deputy Marshal shall enter in a book all discharges of prisoners; which entry shall specify how such discharge was made, whether by the plaintiff, by supersedeas or otherwise; and such entry shall be made within five days after every discharge.

No. 19.—That all the books before mentioned shall be kept in the public office of the Clerk of the Papers; and that all persons shall have liberty to resort to them, and to have copies, as there shall be occasion.

No. 20.—That the Deputy Marshal and his Officers do treat the several prisoners in his custody with due tenderness and humanity; and that such prisoners do behave themselves towards the Deputy Marshal and Officers with due submission and regard.

No. 21.—That the Deputy Marshal do present to the Judges of the court at the court-house in Scotland Yard, at such time as the said court shall direct, a list of all such prisoners as are supersedeable, showing as to what actions and on what account they are so, and how long they have been so, and as to what actions (if any) they still remain not supersedeable.

No. 22.—That no prisoner in the custody of the Deputy Marshal shall be allowed to continue in the possession of any room which he or she had become entitled to by reason of seniority, after he or she shall have been supersedeable for the space of one month, but that the Deputy Marshal shall, after the expiration of such time, cause such supersedeable prisoner to quit possession of such room.

No. 23.—That no prisoner shall be entitled to any room in the prison by seniority, except from the time of his or her being charged in that action in which he or she is not supersedeable.

No. 24.—That no prisoner do take possession of any chamber within the prison, but with the consent of the Deputy Marshal, who shall not turn any prisoner out of any chamber of which he shall be rightfully possessed, without reasonable cause; and every prisoner, on his or her discharge, shall deliver to the Deputy Marshal the key of his chamber, and all the Deputy Marshal's furniture therein.

No. 25.—That no woman or child shall be permitted to sleep in the prison without the express authority of the Deputy Marshal; and that in all cases where such permission shall be required, the names of the wife and children shall be specified and registered in a book to be kept for that purpose, without any fee or gratuity for the same; and that no other woman than the one so specified as his wife shall be allowed to cohabit with the prisoner so applying; and that this indulgence be so limited, that in no case it may interfere with the regulated distribution of the rooms among the prisoners, to whom the same ought, according to the rules of the prison, be appropriated, and so that no man or woman be allowed to sleep in the same room with a man and his wife.

No. 26.—That no assembly or meeting of the prisoners, either for the examination into the conduct of any prisoner or person whatsoever, or for any other purpose, be held without the permission of the Deputy Marshal, given in writing.

No. 27.—That the sale of spirits within the prison, and intoxication, and all gaming amongst the prisoners, be prevented as far as may be, and punished as the case may require, wherever they are discovered, by such privations and means as the Deputy Marshal can resort to for that purpose.

No. 28.—That the Deputy Marshal do inspect from time to time the beds and bedding belonging to the prisoners in their respective rooms, and direct the cleaning or removing from the prison, or the destruction, according to his discretion, of such articles as shall appear noisome or offensive and likely to become nuisances to the inhabitants of the prison; and that he enforce the attention of the prisoners to the cleanliness and airing of their respective rooms, and procure the prison to be white-washed as often as the health or comfort of the prisoners may require it.

No. 29.—That if any prisoner break any of the aforesaid Rules, or is guilty of any misconduct, he be punished by confinement, at the discretion of the Deputy Marshal, or otherwise according to law.

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TO THE

REPORT

OF THE

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APPENDIX.

—No. 1.—

REPORT of Commissioners on visiting The FLEET PRISON.

No. 1.

WE went together on Wednesday, the twenty-fourth of April one thousand eight hundred and sixteen, to view the Fleet Prison, without having given notice of our intention to the keeper or his officers.

We found the Prison (which is a modern building) erected in a large area, which affords a convenient space for the exercise of the prisoners in games of activity. It appears to be constructed solidly, and with sufficient security against the danger of fire, with stone staircases and stone floors to the several galleries and rooms, excepting those on the uppermost story. It appeared not to be deficient in general cleanliness and sweetness, and will be considerably improved therein by the removal, which is shortly to take place, of the kitchen and the privies to more proper situations. The rooms did not appear to be inconveniently crowded; they seemed in general to be sufficiently lighted: their cleanliness depends much on the habits of those who occupy them. The infirmary is a large and airy room, the chapel decent and commodious; and the strong room or place of confinement for refractory prisoners sufficiently secure, well lighted, and provided with a fire-place. The Prison is properly supplied with good water. Table-beer is to be had at the different chandlers' shops in the Prison, and appeared, upon the result of our inquiries, to have been always sold there, notwithstanding a contradictory assertion of one of the witnesses (by name Malcolm) examined before the Committee of the House of Commons.

The walls which surround the area in which the Prison stands, are of very considerable height, and are surrounded by chevaux-de-frize; but their contiguity to some houses, and their near approach in some points to the building of the Prison itself, afford a facility to escapes, though advantage does not seem to have been taken of it, except in a very few instances.

In answer to questions addressed by us to various prisoners, selected promiscuously, and examined in the absence of the keepers, we received the most satisfactory attestations of the good conduct of the persons employed in the care and management of this Prison. It appears to be, in general, well regulated, and the regulations to be properly enforced; and upon the whole, it offered nothing to our view that we could deem worthy of serious complaint, except the want of proper medical assistance, which is in no degree provided, but voluntarily by the Deputy Warden, at his own expense, however requisite for the individuals who are unable to provide it at their own expense. The Prison is in general healthy.

W. Scott,
J. A. Park,
W^m Walton.

—No. 2.—

REPORT of Commissioners on visiting The MARSHALSEA PRISON.

No. 2. ON Wednesday the twenty-fourth day of April one thousand eight hundred and sixteen, we visited the Prison of the Marshalsea, without any previous notice of our intention. We found the buildings of an oblong form, placed in an area of such contracted dimensions, so near the boundary walls on each side as to afford no room for any active exercise of the prisoners, or for any additions or improvements. We saw, however, from the upper part of the keeper's house, (which forms an entrance to the Prison and seems commodious) a piece of vacant ground of some size adjoining to the outer wall, which we were informed it had been proposed to add to the area of the Prison, and which we think, if obtained, would very much contribute to the comfort and health of the prisoners, and afford means of adding some accommodations now wanted. The Building has not been erected above five or six years, and seems ill-constructed, and by no means secure from fire: it is of three stories, and instead of having galleries through the middle of each floor (as in the Fleet) opening to the prisoners rooms, there are here staircases of wood, very narrow, leading to the rooms from the outside, as to chambers in the Inns of Court; the rooms are smaller, also, than those in the Fleet, with one bed in each for two persons; indeed the size of the rooms will hardly admit of two beds.

The interior divisions of the Building, we understood, were only lath and plaster, (or quarter partitions,) but in either case a fire (the staircases being all wood) would probably soon consume the whole, and from the confined space the prisoners must either be allowed to escape or be in great danger: under such circumstances a fire engine seems almost necessary, but is wanting. The tap-room and kitchen are one small room, which must be inconvenient. We did not see any infirmary or sick-room, but there are two wards of two rooms each for sick prisoners. The water is laid on from the river Thames by means of the London Water Works, and comes in once a day in sufficient quantity; but the Admiralty prisoners complained of their receiving vessel not being sufficiently large, which might be remedied at a trifling expense.

The chapel was, when we saw it, dirty, but commodious in size; there was a complaint that once a month (on Sacrament Sundays at other places) the service here was performed so late in the day, that the prisoners could not conveniently attend.

We inquired of several of the prisoners indiscriminately, and in the absence of the keeper and his men, whether they had any complaint to make as to the management of the Prison or of its officers, and they replied in the negative.

The Prison was on the whole clean, when we saw it; the contents of the privies are obliged to be emptied six times a year or oftener, and carried through the keeper's house, a great inconvenience to his family, which probably might be remedied, as well as the drains (which are now sometimes choaked and offensive) improved, by means of the purchase of the ground above mentioned.

The Admiralty prisoners are in a separate building and yard from the rest, adjoining the chapel; in the lower part of this Building there is a tolerable kitchen, with four very small rooms opening out of it, which are hardly fit to put prisoners in, from their size and situation; the upper rooms are much better, and the others not used but from necessity; the inconvenience stated as to this Building, by the Report of the House of Commons, still subsists, viz. of the want of separation of the prisoners confined for very different offences; nor upon the present scale of building and area, does such separation appear practicable.

J. A. Park,
Wm Walton.

EVIDENCE TAKEN UPON OATH.

FLEET PRISON.

Mr. Nicholas Nixon, deputy warden and clerk of the papers of the Fleet Prison; sworn and examined.

Mr. Nicholas Nixon. (9 March 1816.)

HAVE you lately, and when, looked through the evidence given by you before the Committee of the House of Commons, contained in the printed Report of first of May one thousand eight hundred and fifteen?—Yes, I have, since last Tuesday the fifth of March. 3.

Have you seen any reason to correct any statements, or alter any of the opinions given by you in your evidence contained in that Report?—No.

EVIDENCE, *as follows:*

" WHAT is your office?—Deputy warden and clerk of the papers at the Fleet.

" Who is the warden of the Fleet?—John Eyles.

" Does he reside in the Fleet?—No; he has not for some years been able to do any " business, being very far advanced in life, and nearly both deaf and blind; he was appointed " warden in the reign of George the Second, and therefore must be a very old man.

" Can you inform the Committee how many years it is since he was within the walls " of the prison?—I think he left me in the year one thousand eight hundred and four; he " has not been at the prison since that time. I have executed the office ever since I have " been in the office myself, but the warden has always been with me to assist me, till he was " so incapable.

" How long have you been deputy warden?—Twenty-six years.

" Do you reside permanently within the walls of the prison?—Yes.

" Are you absent during the summer?—I go out of town sometimes for a week or ten " days; last summer, on a particular occasion, I exceeded a fortnight.

" During your absence who performs your duty?—My clerk.

" You are never absent both at the same time?—Never.

" What is your clerk's name?—William Woodroffe; he has been with me about eight " or nine years; he knows the duty of the office just as well as I do.

" Has he any appointment in the prison?—No, but I allow him a salary of one hundred " pounds a year, and he has some little perquisites, such as on enquiries on persons going " into the Rules.

" What is the nature of the perquisites?—He enquires as to the quality of securities " before I take them, on prisoners going into the Rules, that I may not take improper security; " he has a fee of half-a-guinea.

" Has that been of long continuance?—Yes, it is a very ancient fee, I found it in the " office."

" Is he restricted to that fee, or does he take more on extraordinary occasions?—Pro- 4.
" bably they may give him more on extraordinary occasions; I believe no more is ever " demanded; very possibly the prisoner himself may, for extraordinary trouble, desire him " to take more, I believe that is the case.

" Does he receive any other emoluments besides those two?—None whatever.

" He receives no emoluments for any thing that takes place within the walls of the " prison?—None whatever to my knowledge, if he does, it is not tolerated by me, but I do " not believe he does.

" What number of officers have you within the walls of the prison?—Three turnkeys, " a watchman and a scavenger, that is all.

" How are the turnkeys paid?—By me; I pay each a guinea a week, and they each " have a room within the prison to reside in rent-free.

" They have but one room a-piece?—They have a large room, and I believe they have " partitioned it off, one of them; two of them reside within the prison, and the other under " my office; for I cannot be between the gates without an officer with me.

" Have the rooms so partitioned off fire-places in both?—I believe not; I believe only in " one.

" Have the turnkeys any other advantages and emoluments besides the salary of a guinea " a week and the room in which they live?—Not that I know of; and yet I think

Mr. Nicholas Nixon.

" that it is probable that they may in that room, being so divided, keep a bed to let out to " a prisoner; but I am not satisfied how that is.

" You do not know that it is the practice of the turnkeys to let out those beds to " prisoners who come in late in a night before they are chummed?—I do not know it, but " I think it is probable; for when prisoners come in they are very much in want of a bed " or half a bed, as their circumstances will afford; and if I am there myself, I desire the " turnkeys to find them a place, that they may not be distressed; but whether I am there " or not, that is my general directions to them."

5. " Have the turnkeys any fees?—No fees whatever, except two shillings upon the com- " mitment of a prisoner, but that they do not take; I am designated turnkey as well, in " order to have the complete controul of the prison, as for that my appointment runs " as deputy warden, clerk of the papers, and turnkey, and that two shillings goes into my " fees as clerk of the papers; but in the table of fees it is stated to be to the turnkey, and I " am the chief turnkey.

" The next officer you have is the cryer?—Yes.

" You have only one cryer?—Only one.

" What is his duty?—When a stranger comes to inquire for a prisoner, to bring him " down to a room on one side of the gate, that the stranger may see him without being put " to the disagreeable necessity of going within the walls of the prison.

" Has he any other duty?—He is also watchman; I give him half-a-guinea a week " for his duty as watchman; he is also scavenger, to keep the staircases and the prison " clean.

" What is his salary as crier?—No salary at all, only what a gentleman may please to " give him that sends him in to bring a prisoner down.

" What is his salary as watchman?—Half-a-guinea a week.

" Has he any perquisites?—None whatever that I know of, but he has some little " emoluments from me in his situation of scavenger; he also lights the lamps for the " galleries of the prison, not the main lamps, and I allow him so much a month, he " finding oil.

" How much a month?—It runs irregularly, according to the length of the nights; in " some cases a guinea, in some cases twenty-eight shillings, in some thirty-two shillings; " he finds the oil and I pay him, and I suppose he has some little emolument from it, but " he has no other fees that I know of."

6. " Has he a room in the prison?—He has, and he is a prisoner himself; he has no fees, " unless the prisoners may give him a few pence, perhaps weekly, for keeping the galleries " very clean; I believe formerly they used to do so to the scavenger, to give him a penny " a-piece a week a few of them, but only a very few; and some of that description may " give him a penny a week now for ought I know.

" Do you think one person is enabled to execute the three offices of crier, watchman " and scavenger?—I have always found one person quite sufficient; in the first place, his " duty as watchman is not very severe, for he does not go on duty till the gate is shut, and " that is past ten at night; and in the summer part of the year, when the days are longer, " he is seldom on duty after four o'clock in the morning, then he goes off duty and goes to " bed; and then he gets up in the morning early, and goes about his business as a " scavenger, to sweep the staircases and the bog-holes, to prevent any filth or any stench " being about; I never had more than one, and always found that sufficient.

" Does he go his rounds regularly every half-hour as a watchman?—Yes, he does " generally; sometimes he may, like another watchman, fall asleep; but his duty is to go " round every half-hour, and I believe he generally does it.

" You have no other servants in the prison besides those you have mentioned?—None.

" Do you yourself enjoy a salary?—None.

" What are the nature of your fees and emoluments?—I have half-a-crown upon every " discharge of a prisoner, and I have nine shillings and four-pence for the return of every " writ of habeas corpus for the first action, and for every action after the first, I have two " shillings, fees settled by the court; and I have some other little trifling fees, sometimes a " subpœna, sometimes a warrant to attend commissioners of bankrupts, but they are very " trifling."

7. " Can you state to the Committee the average annual amount of those fees?—Yes, I can; " I think my fees, on the average of the last three years, have produced me about eight " hundred pounds a year; before that period they were not half that; but lately the acts " of insolvency having been very frequent, those fees have been very much increased.

" What are your fees as deputy warden?—I have no fees as deputy warden; my fees " are as clerk of the papers, and the two shillings as turnkey.

" Have you any arrangement with the warden, by which you receive part of his fees?— " Yes.

" What arrangement is that?—The warden, before he quitted the office, agreed to take " five hundred pounds a year to maintain himself; and I have continually paid him that, " not by quarterly, but by monthly payments.

" What is the whole amount of the warden's fees, upon the average of three years?—I

" think the amount, on the average of three years, may be about one thousand five hundred " pounds a year. *Mr. Nicholas Nixon.*

" Out of which you pay the warden five hundred pounds a year?—Yes.

" Do you speak of the gross or net amount?—Of the net amount; and I am liable for " all escapes, not the warden.

" You mean that one thousand five hundred pounds a year is exclusive of the fees to you " as clerk of the papers?—Yes; and clear of all deductions.

" Your liability arises from a private agreement between you and the warden?—Yes; I " am liable to the warden, he being liable to the creditor.

" What is the nature of the outgoings?—Taxes for the prison; we pay all manner of " taxes there, and I am rated very high; I am rated at three hundred and sixty pounds a " year."

" You mean by taxes, parochial as well as government taxes?—Yes, poor's rates and all 8.
" sorts of taxes; I have appealed against them, but I could get no redress; a part of the " income is derived from the chambers of the prison, and therefore those are considered as " fair subjects of taxation; the other outgoings are, servants, escapes, law expenses in de- " fending against the consequences of those escapes, and they are pretty considerable some- " times, for I never try a cause for less than two hundred pounds; I also pay the chaplain " and clerk.

" What do you pay the chaplain?—I give him thirty pounds a year; and I suppose the " clerk and other appendages stand me in about ten pounds more; making about forty " pounds a year.

" Have you any medical expenses?—Whatever is done in that respect I pay out of my " own private pocket, because there is nothing allowed by the prison; but I am under the " necessity of doing that sometimes, I cannot avoid it.

" What is the meaning of the words 'compulsory fee,' in your return of the fees " to the clerk of the papers?—Those fees that the judges have by law authorized me to " take; the rules are optional fees; if a man goes into the rules it is optional, so that I " make the distinction in that way.

" You have stated the amount of the fees taken by you as warden and deputy warden " within the prison, have you any other emoluments?—No other emoluments at all; " I include in the warden's income a sum of two hundred pounds a year allowed him by " government, in this way; formerly, and within my time, we had dwelling-houses standing " in the front of Fleet market, where the wall now stands; those houses have fallen into " decay, and I thought them very insecure for the prison, and therefore the warden applied " to the crown to take down those houses and build a new wall, and to allow him a " compensation for the loss of the rent of those houses, for they were annexed to the " office of warden; and for the loss of that rent, which amounted to two hundred and " fifty pounds a year, the government gave him two hundred pounds a year."

" Have you any emolument from the tap or cellar-head?—I should have an emolu- 9.
" ment from that; but latterly, and within the last three years, it has not produced me any " thing, from this circumstance: the last tapster whom I turned out of his situation about " two years or eighteen months ago, got indebted to me by purloining the receipt of the " money, about seven hundred pounds, and since I have turned him out I have not been " able to come near that money from any profit I have derived from the tap, so that " it has not produced me one shilling for the last three years; it will in time bring itself " round, and I shall have a small emolument from that.

" What are the names of the different establishments for the sale of liquor within the " prison?—The tap; the cellar-head is only a term given, because the man resides at " the head of the cellar steps, and he has his pipes laid on to that room.

" What is the nature of the arrangement you have with the master of the tap?—He " is to sell beer and ale, the beer and ale coming into the prison in my name and by " my credit, for the brewer would not trust the prisoners with any; I make all the pay- " ments, and he pays to me five shillings a barrel upon porter, profit, and five shillings a " barrel ale, profit; but I have not received any thing for the time I mention, on account " of the circumstance of the failure of the last tapster; that is the whole of the profit I have " from the cellar-head.

" What would have been the annual amount, supposing this failure had not taken " place?—I think it might be somewhere about two hundred pounds a year, but it is " uncertain, depending upon the state and fullness of the prison; the consumption is very " trifling when the prison is thin; our prisoners seldom send out for either porter or ale, " that within the prison being of the best quality."

" Is there any other liquor sold in the prison besides beer and ale?—I formerly had a 10.
" wine licence, but I found it was very much abused, and I got no profit by it, and there- " fore I would not take out a wine licence any more; I thought the prisoners who had " the benefit of the wine licence, might smuggle wine in and get me into a scrape.

" How long ago is it since you had that licence?—Many years ago; I got no profit on " the wine at all.

" Is the person a prisoner who keeps the cellar-head?—No, he is not; and in truth he " ought never to be a prisoner; the tapster before was a prisoner; I have besides those

" a man

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" a man who keeps a coffee-room, and I am obliged to stick up a paper in the coffee-room, " directing him not to take more for the ale or porter than it would be bought out of doors " for; but I know that paper is not attended to; the coffee-house man or the tap-man will " not ask for more than I put down, but he supplies the prisoners with a knife and fork and " salt and so on, and they give him perhaps a penny a pot more; he does not ask for it, but " I believe he takes it when it is given.

" Have you any engagement with the master of the coffee-house?—None; the beer is " put into the cellar in my name; I take out a beer licence.

" Does the coffee-house man sell beer and ale?—Yes, but he has it from the tapster?

" Do you prohibit the entrance of malt liquors within the walls of the prison?—Never.

" So that any prisoner, if he preferred that to be got from out of doors, might send " for it?—Certainly I prohibit in point of quantity, I do not suffer more than a pot to go " to one prisoner at a time, I think he cannot want more."

11. " Is the coffee-house keeper and the tapster the same person?—No, the coffee-house " keeper and the man in the tap are two prisoners, they pay for the beer at the cellar-head; " I have nothing to do with them but to compel them not to take more for the beer than " the prisoners could have it out of doors.

" The tapster is not a prisoner?—The coffee-house keeper and the man at the tap are " prisoners, but the man at the cellar-head is not.

" There are three establishments, the cellar-head, the tap-room, and the coffee-room?—" Yes.

" The first is not kept by a prisoner, but the other two are?—Yes.

" The other two deriving their beer from the man at the cellar-head?—Yes; and I make " the men who go into the coffee-house and the tap deposit in my hands twenty pounds; " and if any deficiency arises in the settlement of their accounts to the man at the cellar-" head, it is deducted from that, and they have the rest when they go away.

" Have you any other profits arising from the prison?—None whatever.

" You have no profit from the chandler's shops?—None whatever.

" What is your rule of nomination to chandler's shops?—They keep them by my au-" thority, for no person can keep a public shop and have the rules without the permission " of the warden or his deputy; I see therefore as to the necessity of it, for I am answerable " for the good conduct of that room.

" Do you attend to the prisoners in these rooms, selling on the same terms as the " same articles are sold out of the walls?—I do not, but the ward inquest come into the " prison to see that the bread is of sufficient weight, and if not, they seize it in the same way " as out of doors."

12. " There is a rule that no prisoner should keep a public room within the prison for selling, " among other things, brandy and punch within the walls, without licence of the warden; " are brandy and punch sold within the walls?—No; spirits are prohibited by act of parlia-" ment; if I suffer them to go in, I am subjected to a penalty.

" These rules and orders were made previous to the act of parliament prohibiting the " introduction of spirits?—Yes, they were.

" Have you any profit or emolument arising from the bakehouse or the public kitchen? " —From the bakehouse I have none, nor from the public kitchen, nor from any thing else " but what I have stated.

" How is the cook appointed?—The cook, being an officer of the prisoners, is elected " into his office by the prisoners; the cook and the racket master are officers of the prisoners, " and I therefore permit them to be elected to their office by the prisoners themselves; and " I have caused these elections to take place twice a year, that in case a man gets impudent " and saucy in his office, the prisoners may have an opportunity of turning him out.

" What is done if he gets impudent and saucy in the interval?—I can turn him out " myself; but I never have had occasion to do so.

" To whose profit does the dirt collected in the prison go?—To nobody; it produces no " profit whatever; the scavenger cleans it out every morning into the street, and the street " scavengers come and take it up."

13. " State to the Committee what is the rule as to the chummage of a prisoner on his " entrance into the prison; what does he do the moment he arrives there?—The first thing " that he has to do to entitle him to his chummage, is to pay his entrance fee; and on the " payment of that fee, he will be entitled to be chummed on the next room in rotation; to " receive his chum within twenty-four hours after the fee is paid; the rooms of the Fleet " Prison are given to the prisoners in rotation, beginning with the oldest; and they are " chummed in like manner; we make no distinction as to gentlemen or poor men, the room " must receive its chum in regular rotation; but if a gentleman will provide himself with a " chum, and that person will wait till it is the turn of that room to receive a chum, to accom-" modate those two persons we chum them together.

" Explain the nature of the rotation?—Suppose I pay my fees before another man, I am " chummed first; and he who pays his fees after me is chummed second, and so on: and if " I am the oldest prisoner, I succeed to a room; and he that is next to me, succeeds to " another; this is the rotation.

" Supposing

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" Supposing each room shall be full, and you have other persons come in, what is done " then?—I chum him on the next room in rotation; I have not at present two persons in one " room not legally so; we have eighty-nine rooms that receive chums; we have more rooms " than that, that would receive chums were it necessary; but they are inhabited by persons " who have been a great many years in the prison, and I forbear to put a chum upon them, " on account of the length of their imprisonment.

" How many are there in that situation?—I believe four; one of them has been upwards " of thirty years; and I thought it hard a poor man, upwards of eighty years of age, should " have a chum put upon him; he has taken the benefit of the insolvent act, but being com- " mitted by the Court of Chancery for not answering, he could not take the benefit of the " act; but being discharged of his debts, he goes into the rules or where he will; he has no " friends to go to, and he is also chapel clerk; I gave him that to make his situation more " comfortable.

" There are four of that description?—Yes, there are; the next is a lady who has been " there twenty-five years; what her reason for continuing so long is I know not, but I sup " pose it is because she has some annual stipend of her own, but that, if she was to give up " her room, she could not live without going to the workhouse."

14. " Supposing you had one person in each of those eighty-nine rooms, and two came " in, how would you determine how they were to be chummed?—Then I put one chum on " some of the rooms, that would make three in a room.

" Which should you select?—The one that has been longest without a chum; that room " I select to put a chum upon, because it has been highest, and therefore has a right to " receive the first chum; but it is rare that we do so; sometimes before a temporary insolvent " act, the prison fills with persons coming in intentionally to take the benefit of that act, " and who, if they happen to be foiled, discharge themselves almost immediately after they " find they are not included in the act of parliament; for it is no uncommon thing for pri- " soners in the custody of the warden of the Fleet to detain themselves at their own ex- " pense; nor is it any uncommon thing for the warden of the Fleet to receive both the " plaintiff and the defendant in the same prison; a person who holds a room in his own " right, will detain himself term after term that he may not be supersedeable, that I may not " take it from him; and I suppose his inheritance in that is more beneficial than if he was " out of doors.

" When a person is supersedeable, you remove him out of his room?—Yes, I cry his room " and give it to the next.

" Suppose he is unable to pay the expense of clearing himself out of the prison?—Then " I am a member of public charities that will do it for him.

" It is a general rule that persons who cannot clear themselves may receive that from " a public charity?—Yes; and where a poor person pays the fees himself, twenty are paid " for by those societies; I sign an attestation of their inability, and their fees are ordered to " be paid.

15. " How many prisoners do you suppose you now have who are supersedeable, and who " might go?—I may be very incorrect perhaps, but I suppose about twenty; I think I caused " several rooms to be cried yesterday of prisoners that were supersedeable; the rule of court " is, that after a prisoner shall become supersedeable, I shall cry his room and take it away.

" You think there are twenty persons who might go out, and could if they chose?—I " have no doubt that there are more than that; the reason those rules are made by the " courts of law is, that a man shall not have any inducement to remain in prison; and I ap- " plied for that particular rule, where they became supersedeable, myself many years ago, " for I found a great number of the prisoners were supersedeable and could be discharged, " and that they were occupying rooms which ought to be occupied by those who could not " be discharged.

" What becomes of persons who, when supersedeable and their rooms are cried, do not " leave, where do they reside?—They generally get along with some acquaintance in the " prison; but if they want accommodation, I give them accommodation on the common side " of the prison.

" In assigning those rooms to the different persons chummed, is it always done under " your immediate knowledge, or done by some other person?—It is done by my clerk; if " there is any complaint, it is brought to me, but I never hardly have any complaints; my " clerk is a very correct man, and I have a high opinion of his integrity.

" Is the prison divided into master's side, and common side?—Yes.

16. " What is the distinction?—The master's side prisoners are those who pay the entrance " fee, the common side prisoners are those that do not pay any fee at all; we have a place " called the begging grate, a small place within the walls where they stand and ask alms of " the public; and if they are sworn upon that poor box they must swear they have not five " pounds in all the world, and cannot subsist without the benefit of that begging grate, and " they are immediately admitted; that begging grate, I have been told by some who have " partaken of it, has produced them three hundred pounds a year; we have not sometimes " more than seven or eight prisoners, and for some years we had not more than two.

" Are they obliged to hold the begging box?—That is put on a stand, and they are in the

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" grate within; any person coming along puts what he pleases into the box; the box is " locked, and if there is any dispute they come to me to have it rectified.

" Is there any account kept of the money so received?—No, they take their turns in " rotation, every man has his twenty-four hours as it comes to his turn, and whatever he " gets in that twenty-four hours comes to himself.

" There is no weekly, monthly or annual account of what is received kept?—No; I speak " at random, but I have been told it is very beneficial sometimes; there are donations be- " longing to the prison received and distributed among those entitled to it, all those upon " the begging box and nobody else, save and except five hundred pounds a year, which was " by a recent act of parliament given to the prisoners, that is given indiscriminately to any " man who takes that oath, without being upon the begging box; I have excepted any man " whom I knew had an income; that act was intended to prevent persons starving.

" Are there any on the common side who have to do with the begging box?—Several."

17. " Do you believe that prisoners do not put themselves into a situation to receive those " charities from an indisposition to expose themselves to the grate?—Many would not go " into the grate at all; it is resorted to by only about seven or eight, for all those before " the act of parliament took care of themselves, without any aid whatever, and it was " thought a sort of indignity to go into the begging grate to ask alms, and it is so con- " sidered. That act of Mr. Thornton's sprung out of another act of parliament which " passed into a law without notice, compelling the parishes to give relief to the " poor prisoners within the prison; that act was intended only to extend to a few local " prisoners in Yorkshire, but it was so worded as to extend to the Fleet and King's Bench, " and upon that being repealed this Act was substituted.

" Was there not an act before, which taxed the counties for the relief of prisoners in the " Fleet prison?—No; there was an act which gave forty shillings a year to the King's " Bench and Marshalsea, but not the Fleet.

" What becomes of those who are poor and have no income, but are not upon the " begging box?—They generally wait upon the more wealthy prisoners, and get some " relief by doing services for them.

" What number of prisoners have you upon the poor side?—We have four cabins, and " there are about seven or eight prisoners in each generally.

" What rents are paid for the rooms on the master's side?—The rooms pay fifteen " pence, so that if there are two in the room it is seven-pence halfpenny each.

" How often are they collected?—Every Monday, but then we cannot turn a person " out of a room unless he owes a quarter's rent; then we have power to turn him out for " nonpayment of his rent."

18. " Does it often happen that they omit to pay for so long a time?—They never omit " for a quarter; when they are poor I do not press them very much, but if they " go no further I am obliged to cry the rooms and take them away.

" You seldom in point of fact do that?—Very rarely; I often cry a room when it is " in arrears considerably for nonpayment of rent, then they come immediately and pay " the rent sooner than lose the room.

" You are seldom obliged to turn out a person for nonpayment of rent?—Very " seldom.

" Do the rents belong to the warden or deputy warden?—To the warden; they are part " of his income.

" Do the persons chummed in the room usually inhabit the room?—They sometimes " do; he who succeeds to the room by rotation is called the owner of the room, and " the chum and he may agree; and I have laid down a rule what he is to pay him, four " shillings a week and no more; and also what a person coming into the prison shall pay " for a furnished room, fifteen shillings and three-pence; and eight shillings and three- " pence for an unfurnished room; if a person came into custody, the old prisoners would " think he brought plenty of money with him, and they would ask as much for a room " scantily furnished as he might have a first floor for in the best street of London; I believe " I am often defeated, but whenever it comes to my knowledge I take away the room by " way of punishment.

" The person entitled to the room is not obliged to go out on the payment of the four " shillings?—No, certainly not; it is matter of arrangement.

" What do those persons do who are so paid out?—They go to another prisoner as " lodger, sometimes they take in three or four lodgers; I do not restrain that, because it " is an accommodation to the prisoners."

19. " Do you pay any attention to the number of lodgers they are allowed to take?— " Never; there is no restriction at all.

" What is the greatest number you have known in one room?—I have never known " more than three in a room; but perhaps a man may let his room to various people, and " have as many as six; he is not restrained, there is no law to restrain him; but if the " person who lodges in his room found it inconvenient or unhealthy, he would go to another " place.

" What do you mean by your regulation, that an unfurnished room might be let for

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" eight shillings and three-pence a week?—That the owner of the room and the chum, " supposing they agree to let the room, are not to receive for an unfurnished room more " than eight shillings and three-pence.

" Then the Committee are to understand, it is allowed in the prison for an owner of a " room, and the person chummed upon it, to go out and let the room legally to one or " more persons, either furnished or unfurnished, if they like?—If they think proper.

" But at the prices settled by you?—Yes; if I know that they receive more, I deprive " them of their room or their chummage, for prisoners coming in used to be paying two " guineas and two guineas and a half a week.

" By the rules according to which you chum people, it can never happen that the " owner of a room may have two persons chummed with him while there is only one in " another room?—Yes; say room No. 10 has two chums upon it, and No. 11 has two chums " upon it, it may happen the two chums upon No. 10 may be discharged, we do not " turn back to chum that room; that room receives no more from us till its rotation; so " that a man may be without a chum while another has two.

" In that case the next person that comes in to be chummed would be put on that " room, supposing there were two rooms to be chummed?—I should chum upon the one " that has been the longest without a chum."

20. " What record do you keep of the number of chums in each room?—We have a book " in which they are all entered, and we permit the owner of a room to change his room " once, supposing he has a room not altogether so comfortable to him, and the mode of " changing that room is this; he sends a notice that he claims so and so, and whoever " happens to be the eldest prisoner will be permitted to have that second room, so that he " may have an opportunity of making one change.

" Does a chum become an owner, in any case, by your arrangement?—Always, if he " stays long enough, when it is his turn to have a room in his own right.

" What difference is there between the owner and the chum?—None whatever, for the " room is appropriated to their joint uses.

" In your chum book are there the dates of the chummages?—Always, and the number " of the rooms, they follow regularly one after the other.

" There are two or more racket courts established within the prison?—Yes.

" How is the master of those racket courts appointed?—By the voice of the prisoners " themselves; there are elections that take place twice a year, so that if any racket master " behaves amiss he may be turned out.

" What are their emoluments?—They get their emoluments by so much a game being " paid; I understand they make about a guinea a week a-piece; that is approved by the " court for exercise.

" Are they prisoners?—Yes; no person can hold any situation in the prison but a pri- " soner, and he must have this qualification also, that he is not supersedeable; he must be " a man obliged to remain in prison.

" Can any prisoner play at those racket courts without payment to the racket master? " —Yes, I believe a prisoner may; I rather think they collect the money from strangers " that come in to play with them, they pay for the balls."

21. " And for the use of the rackets?—Yes, if they have no rackets of their own, I believe; " but this does not fall within any government of mine, and I am not competent to answer " these questions.

" Do many strangers come in to play with them?—A great many; there are prisoners " in the Fleet, and have been from time immemorial, considered as very eminent players, " and strangers who come in pay for their balls, which they will sometimes strike over the " walls; and for the use of the rackets; I have often heard it said that their places are worth " a guinea a week, and they must derive their emoluments in that way.

" Is it a practice for strangers coming from the market to frequent the necessary houses? " —I believe it may, but no such complaint has ever been brought before me, or I should " order such persons to be locked out of the prison.

" You believe that the practice exists?—I believe it may.

" Are many complaints made to you as to riots and drunkenness, within the walls of the " prison?—I have endeavoured as much as I possibly can to discover persons of that descrip- " tion. I have enjoined the watchman to be vigilant, and to let me know who those per- " sons are; for I lament to say they too frequently happen, and more of late than formerly; " but they put the lights out in the galleries and run away, after they have been in mis- " chief. At two o'clock this morning there was a disturbance of this kind; and when I have " discovered them, I punished them by sending them to the strong room."

22. " At what hour are candles and fires ordered to be put out in the coffee-house and tap? " —At eleven o'clock I have ordered them to be put out, but the prisoners will fight with " the coffee-house keeper and tap-house keeper, if they attempt to turn them out; they are " very irregular of late, and I believe it arises from their coming under the idea of their being " to stay but a limited time, and bringing money to spend while they remain. It was not " so till this three months act came, and since that act they have been less moral than they " were before.

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" The Committee are to understand you to state, that habits of drunkenness and of riot " have very much increased latterly?—I think they have increased, for they generally con- " trive to prepare money to maintain them those three months; and they are not very careful " what they do then.

" At what hour do strangers leave the prison?—The crier cries out " strangers all out," " and they begin to come out at ten, but I never get the gates locked up till half past ten.

" Do all of them quit, or do any remain?—Many do not go at all.

" Are the wives and families of the prisoners permitted to stay?—Yes; it has been " thought by the judges that prisoners may derive comfort from having their wives and " children with them; there is no rule to the contrary; I have frequently threatened to lock " them out, for it sometimes happens that wives have been riotous as well as their husbands; " and if they have been riotous, I have threatened to lock them out.

" Do you believe that prostitutes do constantly come in to remain with men during the " night?—They may if they please. I verily believe that it is the largest bawdy house in " London. And these girls often get into riots in the gallery, and there are sometimes " fights; I lock them out whenever I discover them."

23. " Is there a separation of male and female prisoners?—As to the rooms there is, but not " as to position.

" In the same gallery there are rooms belonging both to male and female debtors?— " Yes.

" The same rooms are not always kept for women?—No; if I want more rooms for " women, or for men, I take the same rooms for the one that have been used by the other.

" Does any officer of the prison visit the prison in the night?—No, not unless there is a " riot in the prison.

" Have you any master-key to the rooms?—None; the prisoners would be subject to an " inconvenience; and supposing such a thing were to happen, they might impute theft to " me or my officers, and therefore we never interfere with the rooms, unless there is any " thing amiss; if they sell spirituous liquors, or any thing contrary to law, I send in to " seize that liquor, and stave it in front of the prison.

" You have no means of going into the room, unless they unlock it to you?—I conceive " I have a right to go into any room I please; but we do not without their opening them " to us.

" Do you ever muster the prisoners so as to know whether they are all there?—No.

" Are escapes frequent?—Not very frequent; it seldom answers the purposes of any " man to escape out of the Fleet prison, unless it is a foreigner who has no residence in " this kingdom, or a smuggler who can live any where; many people come to the " prison for their own benefit, that is for the purpose of taking the benefit of an act of " parliament, and it rarely happens that any escape takes place, except it is a smuggler or " a foreigner; we have had some escapes of prisoners who were in for very heavy debts; " after I had been in office only a few months I had two thousand five hundred pounds " to pay for the escape of a French count; that was over the old wall, it has been made " more safe since; but there can be no wall built which a prisoner cannot get over " if he is a clever fellow; a sailor who has the use of his limbs can get over any wall."

24. " Are there any clubs amongst the prisoners?—There are two; one in the tap-room on " Monday night, and another in the coffee-room on Thursday night.

" Are strangers admitted as well as prisoners?—Yes.

" Do you know whether strangers belong to those clubs?—There is no selection of " members belonging to the club; any body who indiscriminately goes into the room on " that night may take his ale or his porter.

" In what respect do the club nights differ from any other nights?—Only that the " club is on that particular night, and the stranger may go into the room and sit down; " it only differs in this respect, that there is a president who takes the chair.

" Is gaming common in the prison?—I am afraid too much so; I have no means of " checking it, for they game in the dead of the night when I know nothing of it, and they " will get spirituous liquors in and keep what are called gin-shops, and that is very " pernicious, for after they have left the coffee-house and tap they will go and spend great " part of the night at those gin-shops.

" Do you search for spirits?—I did formerly, but I found that not so effectual as the " course I afterwards adopted; when there are spirits I generally have an anonymous " letter giving me notice; then I cry the room to take it away; the owner very soon " appears, and then I soon find whether it is a gin-shop, if it is so, I take it away; " we never search any persons coming into the prison, and the women will very easily " bring it under their petticoats."

25. " Do you think there is a considerable quantity of spirits consumed within the prison?— " I think there is.

" Is the prison secured against fire?—Pretty nearly so; all the rooms but those on the " top gallery are arched with brick, and a fire might be in the prison without doing " great injury, but the top gallery has a wooden floor, all the rest is stone except the " infirmary, that has a wooden floor.

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" Is divine service well attended?—Very badly; the clergyman tells me that he has " not sometimes above half a dozen in the chapel on Sunday morning; he imputed that " at one time to his coming so early; he used to come to morning service about eleven " o'clock, and he thought the prisoners had not sufficiently got up and got their " breakfasts, I therefore altered the hour to one o'clock in the afternoon; but I found them " as indolent in that respect as they were at eleven.

" By the rules it appears that all the prisoners are required to attend, unless they have " a reasonable cause of absence; is there any means of enforcing that rule?—None " at all.

" Are the coffee-houses opened during the hours of divine service?—I fancy they are; " prisoners go in and out without drinking or any thing of that sort, and sit down great " part of the day; they are more for the accommodation of the prisoners than for any " benefit or profit belonging to the persons keeping them.

" Is the cellar-head open during divine service?—Yes, but we lock the gates from " eleven to twelve during the hours of divine service; at other times I fancy upon " the average the key turns about once a minute."

26. " Can you give the Committee any idea what is the average number of prisoners " you have had within the walls for the last three years?—The average number of " prisoners within the walls and the rules never exceeds three hundred; perhaps there " may be about sixty or seventy in the rules, and two hundred and forty or fifty in the " prison.

" Do you consider the prison sufficiently large for the accommodation of that number? " —Certainly; I always considered the prison sufficiently large when the rooms can take " more prisoners without inconvenience; our rooms are larger perhaps than any prison in " the kingdom.

" Does the chaplain attend on week days?—No; on Sundays, Christmas-day, and " Good Friday.

" Does he administer the sacrament to many persons?—No, to very few; he is an " excellent clergyman, and takes great pains; but they are not so careful of these " things as they ought to be, and it is not in my power to make them otherwise; the " prisoners, take them in general, are an idle disorderly set of men, they get into " ill habits, getting into debt, and they are not particular about church or any thing " else.

" Is any work carried on in the prison?—Yes, there are many people that work in " the prison; I permit all to work that can work, so that they do not carry on any " trade that might lead to the furnishing escapes.

" Is theft a common offence in the prison; do they steal from one another?—Yes; " often the prisoners have a crier to cry any thing that is lost or found, and I had " a crier of that description once, whom I detected in stealing, for the purpose of " crying it for the reward.

" Do the prisoners take garnish from one another?—No, I never suffer that to be " done; perhaps they may sometimes take beer from one another, but I never suffer it if I " know it, it is prohibited by the rules of court."

27. " There are schools established in the neighbourhood for the children of debtors?—Yes; " and if they send me down the names and ages of their children, I send them to school " immediately, without expense.

" Are there many children sent down to you?—Yes, a good many; some of the parents " are more careful of the morals of their children than others.

" Are you able to state how many of the seventy-seven children now in the Fleet go to " school?—I cannot.

" Do you suppose half?—No; many of them are too young.

" Is there any allowance of food within the prison?—None.

" Nor coals?—No, nor coals.

" Is there any medical attendance furnished?—None; I have often applied in various " ways to have that defect supplied, but I never succeeded; I have thought it a hard case, " that a prisoner should be on a sick bed without any thing to assist him.

" Have you in point of fact often assisted such a person, both in respect of medical " advice and relief?—Yes, I have.

" That has been out of your own pocket?—Yes.

" There is an infirmary?—Yes.

" There are two sick rooms by the rules of court?—There is only one now, there were " two when the prison was in its ancient state; the prison has been burnt down twice; " there is one large room now with a boarded floor for that purpose.

" Is that for men and women too?—The women never go into the infirmary; they " always confine themselves to their own rooms; it is very seldom that the men go into " the infirmary; I have one now who is exceedingly lame, and I permit a person to sleep " with him."

28. " If any person dies in the prison, what becomes of the body till the interment?— " I send for the undertaker to bring a shell, and it is put into a spare room, and there it

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" remains till the coroner's jury attends; for there is always a coroner's jury to ascertain " that no person comes to his death by unfair means.

" You think yourself perfectly justified in removing the body?—Yes; not out of the " prison but out of the room, for there may be one or two other persons in the room; then " after the coroner has held his inquisition he gives me a warrant, which is given over to " the friends of the parties who bury the corpse, and if not I do it at my own expense.

" Does it often happen to you to be at the cost of the funeral?—Not often.

" Have you had many instances of death in the prison within the last year?—No; it " is very seldom that any person dies in the prison; and it is very seldom that any of them " are proper objects for the sick room; that was anciently appointed to put the disordered " person into to prevent infection in the prison, but I have disregarded that distinction; " where I have found an object deserving of the sick room, I have sent him in without " difficulty.

" Is the prison visited or inspected by any persons from the courts?—Yes; the court of " Common Pleas, at my request, send an officer of their own before every term, four times " a year, to look round the prison and see whether there is any complaint to be made; it " is one of the secondaries of the court, either Mr. Lodington, Mr. Griffiths, or Mr. Hew- " lett; they make a report to the judges every term that they have visited, and that they " find the rules and orders hung up in the prison and easy to be resorted to; that was " done at my own request lately; the prisoners used to complain grievously, and I requested " the court to send an officer to see how things were."

29. " Does it not sometimes happen that a prisoner has no means of subsistence?—Yes, " it does.

" In what manner is he then supported?—The only way that he supports himself then, " is by waiting upon his fellow-prisoner, who pays him for cleaning his boots, making his " bed, cleaning his room and so on, together with the three shillings and sixpence a week, " the county allowance.

" If a person does not pay his fees, is he chummed into a room?—A cabin is given him " on the common side.

" So that a person on entering the prison unable to pay his fees is immediately placed " on the common side?—No, not immediately; I take care to see that he has a bed to go " to that night, and if he cannot get any accommodation, if he makes application to me, " I give him a cabin on the common side.

" Do you remit many of the fees both on coming in and going out?—Often we find " it necessary.

" Can a person on the master's side have the county allowance?—Yes, they are almost " all on the master's side; those on the begging grate have nothing to do with it.

" There are other persons on the common side, are not there?—Yes, they have it if they " apply and can make the oath; there is no distinction between a prisoner for debt and a " crown debtor, or an equity prisoner for contempt of court.

" The only difference between a master's side debtor, and a common side debtor not ad- " mitted to the grate is, that the one pays a rent for his room, and the other does not?— " The one succeeds to a room in his own right and has his chummage, the other does not; " and by the ancient regulation of the prison (for the Fleet prison is a very ancient " one) I cause the bell to be rung at nine every night, to order the common side pri- " soners to separate themselves from the master's side prisoners and go home."

30. " Is that rule obeyed?—No, not often; but that is the intention of it; but they generally " stay on the master's side, if they think proper.

" Have you any authority to examine the bedding of the prisoners, and to order it to " be taken out of the prison, in case it is dirty or unwholesome?—I have no authority to do " so, but whenever I find it to be so I take upon myself to order it, for it is better to re- " move that offensive thing than to let it remain in the prison; this very morning my " turnkeys had a quarrel with a prisoner on this ground; a man brought two blankets down " and was beating them, it was represented to me they were full of vermin, and I desired " them, if that was the fact, to seize them and throw them into the water tub, they did so " and he was extremely angry; there are many things obliged to be done within the walls " of the prison which the judges could not foresee, and therefore could not provide for.

" Is there any provision to oblige the keepers of the King's Bench and Fleet to pro- " vide bedding for the prisoners?—Yes, there is such a provision, but it never has been " complied with; the warden never found any bedding, and the judges excused him, be- " cause they said it would be attended with such an expense, that the warden could not " bear it; the prisoners in that case would be wasting the warden's substance, and selling " the beds and blankets continually.

" During the twenty-six years you have known the prison no such bedding has been " furnished?—No, nor long before; I do not think it ever has been done, not in the present " warden's time, and he has been warden about sixty years."

31. " How often is the prison whitewashed?—I generally have it whitewashed whenever it " wants it, there is no stated period; there is an act of parliament compelling the county " gaols to be whitewashed once a year, that does not attach upon the Fleet or the King's " Bench; but whenever I see the galleries in a dirty state I order them to be whitewashed,

" and send in a memorial to the Treasury, stating what I want done; I generally send in " one every three years, and that is sent to the Board of Works, who send down to see " what is done. *Mr. Nicholas Nixon.*

" Had you a repair done last year?—Yes; I generally have one every three years, and " if the whitewashing wants doing before they come, I do it at my own expense.

" Have you any means of enforcing cleanliness among the prisoners?—None.

" What is the nature and extent of the rules of the Fleet?—The extent of the rules of " the Fleet is but small; the rule of court was first made in James the first's reign, and it " has not undergone the least alteration since that period.

" Can you give the Committee a general notion of the circumference of the rules?— " I should suppose it may be not above three quarters of a mile in circumference.

" The streets immediately surrounding the Fleet?—The streets immediately surround- " ing the Fleet; except the market; it only goes down that side of the market next the prison, " it takes in all Ludgate-hill, and goes up the Old Bailey, and then comes down Fleet-lane " into Fleet-market.

" What entitles a person to have the rules of the prison?—His giving sufficient security " to the warden that the warden may have some one to seek his remedy against in case of " escape, and paying a commission of five per cent. upon the amount of his charge; or in " case of the debt being large, I frequently take much less than the five per cent.; that is " matter of agreement with the prisoner."

" What is the nature of the instrument by which he secures the warden?—A warrant of 32.
" attorney, with a defeazance declaring the purposes of that warrant of attorney.

" What is the stamp upon that instrument?—Twenty shillings.

" Does the amount of the duty vary with the amount of the security?—No.

" What is the expense of preparing the instrument?—There is no expense at all; it is " a printed form filled up by my clerk.

" The whole expense of the party then is the twenty-shilling stamp, the inquiry-fee " and the five per cent, or such smaller sum as you chuse to take in composition if the " debt is large?—Yes; sometimes I do not take above two per cent, or one per cent, just " as the person's ability may be; many handicraft men are desirous to go out into the " rules; they cannot pay more perhaps than the bond itself, and if they are industrious " and I think them deserving of consideration, I take a trifle from them; that is governed " by the circumstances of the individual; if a man has a wife and a large family I always " take that into consideration.

" The Belle Sauvage Inn is within the rules?—It is.

" Are there many persons living there and using that coffee-house?—Yes; in the King's " Bench all the coffee-houses and public-houses are shut out of the rules, but there is no " such provision in the Fleet; Mr. Justice Buller altered the rules of the King's Bench " twice, and he shut out all public-houses and places of amusement."

" Is there any church or chapel within the rules?—No, there is one just without; 33.
" we have a good chapel within our walls, and they may, if they choose, come in to " Divine Service there; and if the church standing at a small distance out of the rules " of the Fleet was put in, it might be considered inconvenient, and not respectful " to the parishioners; they might have an objection to going there, if the prisoners went " there.

" Have you any day-rules?—Yes, we have day-rules every day in term time, that is every " day that the court sits; there are three days in the year that the court do not sit at West- " minster, on those days I cannot grant day-rules.

" How are the day-rules procured?—By applying to me and giving me security.

" Of what nature?—A warrant of attorney, the same as for the rules.

" At the same cost?—No; in many cases we do not take above fifteen shillings more " than the expense of the stamp and the inquiry-fee.

" What is the cost of the warrant of attorney?—The warrant of attorney is on a twenty- " shilling stamp.

" What is the ordinary expense of a day-rule to a prisoner?—Two pounds seven " shillings for the whole, if the charge be under five hundred pounds, including the stamp " and the inquiry-fee. I believe we never take more than five guineas, sometimes three, " just as the circumstances of the party are; it is generally left to the party himself; all " these things must be optional.

" In addition to this, there is four shillings and sixpence payable each day?—Yes.

" If a man is within the rules, you do not require a fresh security for the day-rules?— " No, but he then goes out on day-rules only; a prisoner not within the rules must give a " fresh warrant of attorney to the office every term he goes out."

" Is there not another way of going out, by paying a tipstaff?—No, there is not in our 34.
" prison; it is the case in the King's Bench. But where I have found the sum small, for " instance twenty pounds or thirty pounds, if a man of decent credit and respectability has " asked leave for such a one to go out, I have taken his word, and let the man go, without " any other expense than that of the day-rule, which is four shillings and sixpence.

" To whose profit do the fees payable on the rules go?—To the warden.

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" To whose account does the profit of the day-rules go?—The warden has a shilling " upon every day-rule, the clerk of the papers has one shilling and ten-pence, and the " secondaries of the court of Common Pleas have one shilling and eight-pence, making " four shillings and sixpence; those fees, I believe, are ancient fees; I found them in my " office when I came, and they have been there I believe as long as the rules existed; there " is no rule of court for them that I can find.

" Do the prisoners give dinners frequently at the Belle Sauvage Coffee House?—They " frequently dine there, I believe; whether they give dinners, I do not know; but we " have frequently men of great consideration within the rules of the prison, men of " title and consequence; it is scarcely known to any but myself who pass through our " gates.

" Do persons frequently live at considerable expense within the rules of the prison?— " Yes, they very frequently do, and some within the walls too. I recollect one case of a " person within the walls, whose servant I saw bringing in a pail of ice, for which he had " given half a crown, and which he stated was to cool his master's bottle of wine; and we " have had another case of an Italian lady within the walls, who was kept by a gentleman " out of the prison. Complaint was made that she did not pay for a bushel of coals; I sent " for her down to the office, when she told me she had but a guinea a day, and that it was " as much as she could possibly do to live upon it. I told her if she did not immediately " pay the man, (whom she had struck on his demanding the money,) I would send her to " the strong room; upon which she immediately put her hand into her pocket and paid " him, and begged his pardon for striking him."

35. " Do people in general live expensively within the prison?—Always, if they have the " means, they will live expensively; but that they would do if they were not in the prison, " if they could get money.

" Is the London Coffee House within the rules?—It is.

" Do debtors live in the London Coffee House as they do in the Belle Sauvage?—Yes; " gentlemen of the higher class go to the London Coffee House or the Belle Sauvage as " they please.

" By whom were you nominated as deputy warden?—The warden of the Fleet.

" Have you a copy of the appointment?—It is in the hands of the warden's attorney, " Mr. Thomas Holloway, of Chancery-lane; the warden holds his office by patent from " the Crown.

" Do you often visit the prison yourself?—Yes, frequently.

" Have you any stated times for visiting it?—No; but I do not like going in the day " time, because a great number of prisoners come around me, and they hold conversation, " and then they consider one has a little more influence than another, and therefore I avoid " that as much as possible.

" Do you then visit it at night?—Chiefly at night; I go in to see all is quiet.

" If you hear any great disturbance in the prison, do you make a point of going in?— " No, because that disturbance takes place while the gates are shut, and I make a point " never to open the gates after they are shut, except in this way, that a prisoner's wife may " be in labour, and then I cause the gates to be opened to fetch assistance for her, or when " any body is ill."

36. " In case of a riot or disturbance, have you any person in the prison whose duty it " will be immediately to quell it?—I have two turnkeys in the prison, and they have my " orders, in case of disturbance, to see and put an end to it; but we have never been called " in to quell any disturbance, nor had I ever occasion to call a soldier in.

" In case of a drunken disturbance in the night, are your turnkeys authorized to inter- " fere and to shut up the coffee-room immediately?—No, they never are; we have never " had any serious disturbance of that kind; the only disturbance that takes place may be a " quarrel between two prisoners, which terminates in a fight perhaps; and if a complaint is " made the following morning, I punish the delinquent by committing him to the strong " room.

" You do not consider your turnkeys as authorized, if there are lights in the coffee- " house and tap at a late hour in the night, to put out those lights, and to force the " prisoners in the room to disperse to their bed-rooms?—I have never given them such " order; but I have enjoined the masters of the coffee-room and the tap to shut up at a " certain hour.

" Is that obeyed?—It is often, sometimes it is not; because the prisoners will not let " them turn them out; they quarrel with them if they attempt to turn them out. I am " always cautious what authority I give to my turnkeys, lest they should abuse it; they " might go beyond my directions, and therefore I am cautious what authority I give " them."

37. " Do you attend Divine Service on the Sunday?—I do not; I go to the parish church; " I attend Divine Service there.

" Does your clerk attend?—No, he does not; he does not reside on the premises, he " resides in Fleet-lane.

" Do the turnkeys attend?—They do not.

" Is

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" Is there no officer on the part of the prison who attends?—No; the turnkeys are " often sent to drive away idle boys and people that are making a noise at the chapel-" door.

" Do you make a point that those children you send to school should attend divine " service?—I have never enjoined them; I have only given the order for the admission to " school, but I have never given an order to attend chapel; if I gave an order, it is likely " the parents would not let them, out of opposition to my order.

" You have indirect power to compel the attendance of those children at chapel?—Yes, " and if they behave amiss, I exercise it, by locking them out of the prison.

" But the non-attendance on divine worship you do not think a ground for that?—No.

" Is there any clerk in the chapel?—Yes; he is an old man, and has been here thirty " years, and because he has been here so long, I gave the situation to him. He is a volun-" tary prisoner. He was discharged under an insolvent act, but he was committed here " under a contempt of the Court of Chancery, but that contempt must have been long " purged; the bill must have been taken *pro confesso*; therefore he could only remain in " custody for the costs of that bill. Having taken the benefit of the act of parliament, he " goes into the rules, and does as he pleases. I do not know that he goes out of the rules.

" The only thing he is in for is the costs of that contempt, in not putting in that answer? " —Yes.

" And how long has he been in for that?—Thirty years."

38. " Has the chaplain any other emoluments than what he derives from you?—Yes, he " has the two Compters of London; and I believe the City give him one hundred pounds a " year for those two compters.

" Has he any other emoluments in this chapel?—No, none.

" He has no fee?—No; by the ancient constitution of the prison, the chaplain was to " receive four-pence from every prisoner every week, but he has received nothing in my " time, and I believe for many years before; for Lord Loughborough said it was unreason-" able he should receive it, and therefore it never was taken; but it is the ancient fees of " the prison, I see.

" How long has your chaplain had the two Compters?—Very lately; he has Giltspur-" street, and the Compter in the Borough, belonging to the City; and he told me he could " only do our duty till next quarter-day, and therefore I have appointed another to succeed " him, who is Mr. Manley Wood.

" What is the name of that prisoner who has been in so long, the clerk?—Thomas " Williams.

" You consider his staying in the prison voluntary?—Yes, I conceive so; I cannot con-" ceive but he must have discharged the costs of that contempt, and the contempt itself " must have been purged many years ago."

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39. HAVE you any thing to add to those statements or opinions?—Yes; a practice prevails which I wish to cure, but have not the power: if a stranger or a prisoner puts down a thing, it is stolen immediately; it is then cried, and a reward offered by the crier appointed by the prisoner, and no questions to be asked; the thing is generally returned and the reward paid, but I have endeavoured in vain to get the name of the person who returns it, from the crier; he says his life would be in danger if he were to disclose it, and I have no power to oblige them to do it; if I had authority to commit the crier to the strong-room till he disclosed the name, I think it would have a tendency to correct the evil: it has often happened that the prisoners, either by general assemblies, or by standing or special committees appointed by them, decide differences arising among themselves, and order punishment upon those whom they consider as offenders. I have been obliged to rescue a prisoner by my own officers, from the execution of such sentence; these meetings have tended very much to disturb the peace of the prison; the last instance which occurred, was in the case of Mr. Price, as mentioned in my evidence before the Committee of the House of Commons. I think no meetings should be allowed without the approbation of the warden.

Do you think it would be attended with any advantage to exclude from the rules, the public-houses within the limits?—No; I think it would deprive the prisoners of some conveniencies which they now enjoy, and produce no benefit to them or their creditors. A meeting of the prisoners creditors is often called at these places; a prisoner is occasionally permitted to meet a friend there, which could not be if they were out of the rules; their company is not encouraged at these places; and I do not think that they are led into any additional expense at these places; if such persons as I have stated in my evidence before the Committee of the House of Commons, to frequent the Belle Sauvage and London coffee-houses, were excluded from these places, I have no doubt they would procure the same indulgences at their own lodgings, at the same if not a greater expense.

40. 15th March 1816.]—What number of public-houses are there in the rules of the Fleet prison?—I do not knowwhat number, perhaps five or six.

What do you say as to excluding the public-houses from the rules?—I do not think they affect the morals of the prisoners; they would be supplied with beer in their rooms equally

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if they were excluded, and the creditors and families of the inferior prisoners would be much inconvenienced by it.

Are riots committed at the public-houses?—If any are, I lock the persons offending into the prison; landlords have made complaints, but very seldom: I do not recollect that I have had a complaint these ten years; I have had no occasion to complain to the magistrates; if I had, I have no doubt they would have taken the licence away.

Have you any limitation of beer supplied to persons within the walls?—No, if there was they would get it.

Has there been much intoxication of late within the prison?—The insolvent bill discharging the prisoners at the end of three months, appears to me to have an effect to corrupt the morals of the prisoners: prisoners come in with money sufficient to support them during that time, and they spend that sum before their discharge: there has been more intoxication since that act has passed.

41. Have you any reason for thinking that the benefit of the begging-grate should be extended beyond those who stand there?—I have no reason whatever to think that it ought; none are admitted to the benefit of the begging-grate who do not stand there; I never knew an instance of a prisoner on the common side being deterred from standing at the begging-grate by the shame of it; some on the common side do not stand there, because they do not want it. Adverting to an answer given by me to the Committee of the House of Commons, I observed that I must have supposed the question to have applied to all the prisoners generally, as well on the master's as on the common side, the immediate question being proposed generally, though a preceding one had been confined to those on the common side, which is sometimes called the poor side; I do not see that any beneficial alteration can be made in the begging-box.

Are there any practical regulations for supplying the prisoners with bedding and blankets?—No, if they were supplied, they would be destroyed or embezzled, and the prisoners not be benefited by them; it would be rather a disadvantage to the poorer sort, for they have bedding and let it out to other prisoners, what may be more than they want themselves. If they were supplied with bedding they would sell their own, and be destitute when they went out of prison.

Are you aware of any fund from which coals could be supplied to the prisoners?—I am not aware of any fund at present applicable to the supply of coals. I seldom hear of any complaint of want of fire; the mode of chumming prevents absolute want, and all the prisoners have access to the common kitchen, the tap-room and the coffee-room; besides which, I frequently receive contributions from individuals, which, in some years, have amounted to one hundred pounds.

42. In what way do you think it advisable that medical assistance should be procured?—I think a respectable surgeon and apothecary in the neighbourhood, would undertake to attend the sick and provide medicines, at a fixed annual allowance; I think such medical assistance should be confined to prisoners in the infirmary, except in extraordinay cases.

Is there any infirmary for female prisoners?—There is a room on the same floor with the infirmary, that may be converted into an infirmary for female prisoners, if it ever should become necessary.

Can the female prisoners be separated in the day-time from the male prisoners?—It appears impracticable at present, without materially injuring the circulation of air in the prison, as such separation would require the erection of walls across the area of the prison, which, in the confined space of the prison, would be inconvenient if not impracticable.

Could it not be done by a division of the galleries, or by allotting a gallery or floor to female prisoners exclusively?—I think not; a separate floor could not be afforded, and a separation of the gallery would interrupt the free circulation of air, and the means of exercise.

Has any alteration been made to enforce decorum in the chapel?—I have obliged my officers to attend chapel since I read the Report of the Committee of the House of Commons; I have not attended personally, because if I did I must necessarily, in going or returning, mix with the prisoners familiarly, which, it appears to me, would have a tendency to diminish my authority in the prison.

The service is now regularly performed at a fixed hour, and the attendance is numerous?—I regularly attend at the parish church with my family.

43. 20th March 1816.]—Are the tap-room and the coffee-houses shut during divine service?—Yes, but I have not found that effectual, because the prisoners will during that time send out to ale-houses for beer, and it is continually passing in and out during service.

By whom is the liquor brought in during divine service?—By various persons; never by my servants.

Could not this practice be prevented?—Yes, by an order to the turnkeys not to admit any ale or porter during that time.

Would that be effectual?—Yes; without shutting the gates during that time, which would be inconvenient to strangers coming and not knowing the rules.

What means have you taken to prevent dissolute women coming into the prison?—When they have been disorderly I direct them to be locked out of the prison, and not to be admitted again.

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Suppose they behave quietly, have you any means of checking their immoral behaviour?—I have not exercised any.

Have you any means of distinguishing women notoriously profligate from others?—No means whatever, unless they sleep with more men than one, and I have in that case prevented the admission of such women in future.

Have riots been occasioned by the resort of such women?—Sometimes; I have then ordered them to be locked out of the prison.

Have you yet adopted any measures for the exclusion of wives and children?—No, conceiving that some regulation would take place in consequence of the Report of the Committee of the House of Commons, and that I should have had some orders upon it.

44. Do you think such measures would be expedient?—I do not suffer the prison to be overloaded from that circumstance; when it has happened, which is seldom, I have ordered the prisoners to provide some other place for part of their families; their living with their families contributes to the comfort and economy of them; it may operate to their continuing in the prison in some small degree, though I never knew that it did so. I don't think that any family has often exceeded a wife and two or three children, and they generally sleep out of the prison; a fellow prisoner sleeping in the same room has a right to prevent a wife or child sleeping there, or coming into it in the day-time, in which case they must see their friends or families in the lodge-room, a room to which persons, visitors to the prison, have always access.

Can you suggest any regulation respecting the admission of women and children that would be useful?—No; not having it in my power to distinguish between a woman of bad character and one that is a wife.

Would there be any difficulty in demanding the certificate of marriage?—No; but there would be great difficulty in obtaining the production of it.

Would there be any difficulty in preventing the cohabiting of men and women passing by different names?—None, if an order was given to that extent; but means would be found to evade it, and I think it would operate against the government of the prison, and render the prisoners more riotous, as well as induce them frequently to attempt to escape.

45. May female prisoners admit male prisoners into their rooms?—Yes, if they are so disposed, as well by night as day, but where there is a female chum it operates to prevent it; I have known female chums resist it, and they have applied to me to give effect to such resistance, which I have done by crying the room and taking it away from the offender.

What is the number of female prisoners?—Female prisoners never exceed twenty upon an average; they are about twelve or fifteen.

Who are the people that have the liberty of playing at the racket-ground?—The prisoners and their friends; strangers are admitted, and the prisoners and strangers play equally, and play together. When a quarrel of consequence has happened between a prisoner and a stranger, I have sent my officer in, and taken the stranger out: I have not known any excess to have happened from liquor at the racket-ground, nor in the way of gaming. There is a skittle-ground, and a four-corner ground, much upon the same footing as the racket-ground, and subject to as little inconvenience as has been before mentioned with respect to the racket-ground; there is no billiard table, nor any other sort of gaming table in the prison. Gaming of any kind, as far as I have been able to discover, does not prevail to any considerable extent. The admission of strangers to the racket-ground has seldom produced any disorder among the prisoners, and never has been injurious to the government of the prison.

Can you suggest any thing respecting the chummage of the prisoners, that will tend to the conveniency of the prisoners, or the prison?—Not at present.

46. If a prisoner comes into the prison without any furniture, how is he provided?—In the interval between his coming in and his being chummed, the turnkey provides him by hiring a bed from some prisoner; several are always to be let; some charge one shilling and sixpence a night, some more, and some not so much. If a prisoner applies to go on the common side, he is immediately put into a cabin; he pays no rent there, but he must provide his own bed and bedding.

If a room was appropriated for prisoners coming in the first night, with beds in it, would it be subject to the same inconvenience as the furnishing of beds generally for the prison is stated to be?—No, I do not think it would; and I see no inconvenience likely to result from such a provision.

What fees are paid by the prisoners?—The commitment fees, the discharge fees, and rent of rooms, which are compulsory fees; and the rules, which are not compulsory fees.

Does any other mode than that which is now practised occur to you, by which the same indulgence of the rules can be continued to the prisoners, and the compensation to the warden be derived from some other source?—None, unless the Crown take it upon itself, and the responsibility of the escapes, and make an adequate compensation to the warden from the public purse.

Would the security against escapes be the same if such mode were adopted?—No; the Crown taking the responsibility upon itself, would slacken the vigilance of the officer, with whom the granting or denying the rules would cease to be a personal question.

23d April

Mr. Nicholas Nixon.

23d April 1816.]—Have you any further account to give of the charities, than what is contained in the Appendix to the Report of the Committee of the House of Commons of last session of Parliament?—No, excepting that Lord Somerville has discontinued the five pounds five shillings given by him.

47. What is the distribution of the charity of five hundred pounds?—It is distributed to those who swear they are not worth ten pounds, at the rate of sixpence a day each. Those upon the begging-grate have not the benefit of it.

What number of persons, upon an average, receive the benefit of this charity?—I cannot speak with certainty, but will furnish the account.

Who distributes the charities?—The steward of the begging-grate. The prisoners upon the begging-grate have the benefit of all the charities, excepting that of five hundred pounds a year, with which the steward has nothing to do; that is distributed by order of the magistrates of the city of London, who attend and examine the prisoners upon oath, and make an order for such as they think ought to have it: they receive it weekly. No supersedeable prisoner can receive it, nor persons having any visible income, either by letting rooms or otherwise.

Is the prison in that state of filthiness described by Mr. Malcolm, in his evidence before the Committee of the House of Commons, on the twentieth May one thousand eight hundred and fifteen?—Certainly not. The prisoners clean their own apartments; and if I saw the rooms in such a state I should take them away from the occupiers.

Would it not be advisable to sell table-beer in the prison?—There is no restriction to selling table-beer. Table-beer is sold at the chandler's shop.

24th June 1816.]—Mr. *Nixon* produced the several books of the prison, viz. the Commitment Book, the Discharge Book, the Chummage Book, the Habeas Corpus Book, the Bond Book, and the Day Rule Book, which were inspected and found to be all very regularly kept, and very perfect in their form.

48. 8th Nov. 1816.]—How do you act when prisoners are supersedeable?—When a prisoner is supersedeable, and I know it, I take away his room or his chummage.

14th Jan. 1817.]—Could not some convenient part of the prison be appropriated solely to female prisoners?—I am not aware that it could, without injuring the air of the prison; separating the gallery would not answer; it could not be done of a night without locking up the gallery, and they would then get in and out of the windows; I have found no inconvenience from the present mode, nor do I recollect a complaint being made of it by a female prisoner, since I have been deputy warden. If they were separated they would be confined to a few particular rooms, and not have the advantage they now have in the choice of chambers.

Is the whole of the London Coffee-house in the rules?—Yes, it is.

Would there be any objection to narrowing the rules, and granting only a part; on certain occasions?—Granting a part of the rules on certain occasions would, I think, be attended with convenience, as when they are likely to be abused. It would be advisable to leave the Sessions House of the Old Bailey out of the rules, but upon special cause stated to the warden for granting permission to go there; or upon an order from the court while sitting. There are not more than fifty prisoners upon the rules; the average number is between forty and fifty.

What would a medical man require as a salary to attend the prisoners and find medicines?—I should think he would be well satisfied with a salary of one hundred pounds a year, giving his attendance generally; but finding medicines only for those who are in the infirmary. The infirmary is large enough to accommodate all the prisoners for whom it may be necessary; upon an average there are never more than two in the infirmary, sometimes none at all.

49. What particular use is there in renewing the bonds for day-rules every term; could they not be continued for a year?—The stamps are thirty-five shillings, which formerly was one pound; there can be no difficulty in extending the bonds for the whole year, if it be legal to do so; I have not been in the practice of taking the fees every term, sometimes only the expense of the bond; if a surety complains of a prisoner he is bondman for, I lock the prisoner up the next day, and if a prisoner does not come in by eleven o'clock, he is not permitted to go out again.

Would it be convenient to appropriate two rooms for prisoners the first night of their coming in?—Upon re-consideration of this subject, I think the appropriating two rooms solely for this purpose would take two rooms out of the rotation and narrow the conveniency of the other prisoners.

Why should not the prisoners be chummed who had not paid their commitment fees?—If I chummed them, without receiving the commitment fees, I should lose the greatest part of my income; I did waive this rule in one instance (Newnham); and I have never yet been paid the money for those who are poor and unable to pay their fees; there is the poor side, where they are immediately put into a cabin.

Have you any means of checking intoxication?—None whatever; but I never let a man have more than one pot of beer at a time.

21st February

21st February 1817.]—What is the nature of the security given for the rules?—The security formerly given by prisoners applying to be admitted to the rules or day-rules was by bond, now it is by warrant of attorney, with a defeazance in case there should be no escape, and on payment to the warden of a per-centage upon the debt, according to an agreement made between the parties, in which the quantum of the debt and the circumstances of the debtor are considered, but never exceeding five per cent. for the first hundred pounds, and two and a half per cent. for every other hundred pounds. This alteration has been for several years past. *Mr. Nicholas Nixon.* 50.

What does the common side consist of?—Four large rooms with fire-places in each, three of which rooms contain seven cabins each, the other six, fit only for single bed.

Is there any room-rent paid on the common side?—None whatever.

As you are chief turnkey yourself, have you three turnkeys besides in the prison?—Yes; I as chief turnkey, am entitled to two shillings upon every commitment of a prisoner not entitled to the poor-box, amounting to about fifty-one pounds a year upon an average; and upon every declaration one shilling, amounting to about ten pounds a year upon an average; the three other turnkeys are employed by me at one pound one shilling per week each.

5th March 1817.]—What is the average amount of the fees received by the clerk of the inquiries?—About seventy pounds a year.

What is the salary you pay the clerk of the chapel?—Five pounds a year; besides which, there are incidental expenses attending the chapel, which I pay, of about five pounds a year more.

Was the chaplain always paid by the warden?—No; he has only been paid by the warden for a period of about fifty years. It appears by an ancient table of fees, that the chaplain, before that time, was remunerated by a payment of four-pence a week from each prisoner; this payment ceased, I believe, in consequence of a complaint, and the warden has paid thirty pounds a year to the chaplain ever since.

25th March 1817.]—When a prisoner dies, and his friends do not take him away, how is he buried?—I bury him at my own expense; the parish of St. Bride gives me the ground if I ask for it; the expense upon an average is about two pounds. Deaths do not often occur, not above once in three years, that I have to bury.

When a prisoner dies, who pays the coroner?—He is not paid by any body.

27th February 1818.]—Have you made any regulations in the prison since you were last examined?—Since the inquiry began, I have increased the salary of the chaplain to fifty pounds a year, and I have appointed the offices of cryer and scavenger to be executed by separate persons; I have also attended the chapel, either in person or by my clerk, every Sunday; and I have furnished a large room, with six beds, for the accommodation of prisoners coming in for the two first nights, at one shilling a-piece, which I have found to be very convenient to the prisoners; and I have also ordered my turnkeys to prevent strangers coming in to go to the privies. 51.

Mr. William Woodroffe, Clerk of the Fleet Prison, sworn and examined. *Mr. W. Woodroffe.*

23d April 1816.]—Have you read over the evidence given by you before the Committee of the House of Commons in last session of parliament?—I have, and I wish to state that there is a mistake in taking down my evidence, in the Appendix to that Report; instead of saying there were fifteen rooms in the hall that do not take chums, I am confident I said that it was in the lower gallery; in all other respects it is correct. 52.

EVIDENCE, *as follows:*

" ARE you clerk of the prison?—Yes.

" It is a private appointment?—Yes, by Mr. Nixon.

" You have no public situation in the prison?—No.

" Do you manage the chummage?—Yes, I do.

" Have you the chummage book with you?—I have.

" What number of rooms are there in the prison?—There are one hundredand nine " rooms in the prison, eighty-nine of which take chums; there are fifteen rooms in the " hall which do not take chums.

" Why do they not take chums?—I cannot answer that question; it was a regulation " before I came to the prison; they have never taken chums, they are darker rooms than the " others, and some of them are rather damp perhaps.

" They are occupied by individuals?—Yes, and given away, not in the ordinary routine " of the prison, they are given away to poor and distressed families; there are three slip " rooms.

" How are they let?—They go in the ordinary rotation of the prison, but they have no " chums on them, and they have not fire-places in them.

" There are two others which have no chums in them?—Yes, one belonging to Thomas " Williams; if any other person were in it, it would take chums as well as the rest; and there " is

Mr. W. Woodroffe.

" is one belonging to captain Green, who has been there many years; he is blind and a " lunatic, therefore he has no chum."

" But, under other circumstances, those rooms occupied by other persons would take
53. " chums?—Yes.

" Explain the manner in which the prisoners are chummed?—When a prisoner comes " into the prison, he stays as long as he pleases before he pays his fees, but when he does " pay them, he has a part of a room given to him.

" Suppose they do not pay their fees?—They remain in the prison, or go to the com- " mon side; if they ask for a cabin on the poor side, we give it, if they do not, we let them " remain where they please.

" A person on paying his fees receives a chum-ticket?—Yes, on the following day.

" Whether he applies or not?—Yes.

" Are they chummed in rotation?—Yes, they are; we begin numerically; we begin at " No. 1. in the hall or lower gallery, then we go regularly through that; we then go to the " coffee or second gallery, and fill that in the same manner, then the third gallery up two " pair of stairs, and lastly the top gallery in the same way; by a chum I mean a second " person placed in a room, the first person being called the owner.

" Supposing a vacancy happens in the lower gallery, while you are in the second gallery? " —We do not fill that till we come round again, then we take the vacancies numerically " as they happen in the gallery, and fill those up, and so through the house.

" When the prison is full, that is, when there is one person chummed in each room, if " another prisoner comes in, what is your arrangement?—Then we put a second chum on " the room next in rotation to the one which has last a double chum on."

54. " Is there no difference between the owner of a room and the chum, in regard to their " rights in the same room?—None.

" It is a mere difference of appellation?—That is all, and the master is the senior pri- " soner; the master may pay the chum out, or the chum may pay the master out.

" Can any person come in without the consent of the two?—No, not in any room.

" When there are two persons in each room throughout the prison, and a fresh prisoner " comes in, in what manner do you chum him?—We chum him upon the next room in " rotation to the one that last had a double chum.

" Have you many prisoners that are not chummed, not having paid their fees?—I appre- " hend not.

" If they have not paid their fees, they go to the common side?—They go to the com- " mon side, or hire a place for themselves on the master's side.

" Do you consider them as liable to pay their fees, if they are on the master's side as " mere lodgers?—Yes, before they are discharged.

" Then the Committee are to understand, you can call on them for the amount of fees " prior to their discharge, though they have not had the advantage of being chummed on a " room?—Yes.

" The mere circumstance of being a lodger on the master's side warrants you to demand " the fees?—Yes, it is a fee on admission; but it is not demanded till the prisoner feels it " convenient to pay it.

" Being a lodger on the master's side, you consider him liable to the whole fees?—Yes.

" How often do you receive the rent for the rooms?—We call for the rent once a quar- " ter, every thirteenth week."

55. " Suppose a prisoner does not pay at that time, what indulgence do you give him before " he is turned out of his room?—Four or five weeks, never less than four weeks.

" Are you often obliged to turn them out of the room?—Not often.

" The menace often produces the payment?—Yes; it is not often necessary to threaten " to turn them out.

" Are prisoners sometimes allowed to change their rooms?—Yes; when a room becomes " vacant by a prisoner's discharge, notice is given through the house, and any prisoner then " possessing a room is at liberty to make a claim; if there happens to be more than one " claim for the same room, the senior claimant takes the priority.

" What becomes in that case of his chum?—His chum remains on the same room as a " chum, and the senior chum in the prison is appointed an owner of that room; and if there " is a double chummage, then the senior double chum is appointed a single chum to the " vacant single chummage.

" If a man has fitted up a room rather in an expensive manner, is there any arrangement " by which he can procure a particular prisoner to succeed his room?—None.

" In what mode is the furniture usually transferred when a prisoner goes out?—Each " prisoner brings his own, or hires things for his use, as he thinks proper; on quitting the " room, they take them with them, or sell them.

" Is there any particular person to value them?—No; there are generally some persons " in the prison who understand the value of furniture, and they apply to them for their " judgment, or sell upon their own.

" Is the practice of one prisoner letting furniture to another common in the prison?—I " believe it is."

Mr. W. Woodroffe.

" Do you believe that the rule which the deputy warden has given in of the year one " thousand seven hundred and ninety-six, specifying that no more than eight shillings and " three-pence a week shall be paid for a room unfurnished, is generally obeyed through the " prison?- I have no doubt it is sometimes evaded, unknown to the office. 56.

" If it is known, what do you do?—We take the room away from the person so letting at " a high price.

" Have you known that to be done?—Yes.

" There is also another rule, that no greater sum shall be demanded for a room furnished " than fifteen shillings and three-pence; have you reason to believe that is also evaded?—I " believe it is at times.

" But if known to the office?—We take the room away, as before.

" And that event you have known happen?—Yes.

" Are those rules known to all the prisoners?—They are posted in the coffee and tap- " room, the most public places in the prison.

" And must therefore be known?—Yes.

" How are the persons on the poor side supplied with furniture?—By bringing them, or " hiring them.

" Suppose a person has no furniture?—The warden has hired on such an occasion by " chance a bed and bedstead and bedding, but I do not know that such a thing has hap- " pened above twice since I have been here, which is eight or nine years.

" Then the charity of the warden supplies the person who wants the bedding?—Yes, if " such an instance occurs.

" If a room with furniture is let for fifteen shillings a week to two prisoners, do they " divide the rent?—The master pays the rent if he lets the room, because he pays his chum " no more than the house allowance, which is four shillings.

" Supposing two persons occupy of him, how would they pay?—They would pay between " them."

" What is the house allowance for out-chumming?—Four shillings a week; when a 57.
" chum pays a master out, or the master pays a chum out, they pay four shillings a week.

" Do you believe a greater sum is often paid?—I dare say it is.

" But upon complaint, what would be done?—The chummage would be taken away " from the person who did it.

" Does it often happen for people to be detained here for nonpayment of fees?—Very " seldom, never above a day or two.

" They are generally paid by a charitable society?—By the Thatched House Society, generally.

" You have not known a prisoner detained here for the nonpayment of his fees longer than " a few days?—Never more than two or three.

" If the fees were not discharged by himself, or the Charitable Society, should you feel " authorized to detain him?—I think the warden would be authorized to do so, but he " never does.

" Then you know the warden has remitted, under those circumstances, fees to prisoners?— " Yes, I do."

Is there any thing you wish to add to it?—Nothing.

Are there a sufficient number of officers to prevent riots and disturbances?—Hardly any number of men would be sufficient to do so of nights, they put out the lights on those occasions.

Are there not riots in the day, in consequence of punishments inflicted by the prisoners upon each other?—Very seldom; I don't remember any instance except of Price, mentioned in the Report of the Committee of the House of Commons of last session of parliament.

Do you remember any other instance of punishment by the prisoners, nor extortion of money by the threat of punishment?—None since that of Price.

Is there any regular time of whitewashing the prison?—No regular time, it is done upon the application of the warden to the Treasury, and generally about once in three years, the galleries more frequently, and the prisoners may whitewash their own room when they please.

Mr. Joseph Wilkes.

Mr. Joseph Wilkes, the eldest Turnkey, sworn and examined.

HE delivered the following copy of a notice he had posted yesterday afternoon about three o'clock, in the different parts of the prison; one at the front door of entrance, one in the coffee-room, and one in the tap-room; and stated that they were still there for the information of the prisoners. 58.

" Office of Fleet Prison, 23d June 1816.

" Notice is hereby given, that the Commissioners for enquiring into the state, " conduct and management of certain of His Majesty's gaols, will meet at this " Office to-morrow morning at ten o'clock."

" *N. Nixon.*"

The Commissioners ordered information to be given in the prison that they were assembled, which being done, Mr. Joseph Foulkes, the cryer, (a prisoner) attended, and being sworn,

Mr. Joseph Wilkes.

sworn, stated that he had cried the following notice at every landing on the poor side of the prison, and in every gallery on the master's-side :

" This is to give notice that the Commissioners are now sitting in the office, if any " prisoner therefore has any thing to communicate to them, he is desired to attend " them there immediately."

He stated also that there was nothing to prevent any prisoner coming to the office who wished to do so.

Mr. James Newham.

Mr. James Newham, a Prisoner, came in; and having stated that he wished to communicate some circumstances, was sworn, and deposed as follows:

59. " I AM deprived of chamber-room or chummage, in consequence of not having paid my commitment fees, by which I have been put to considerable expense; I have applied twice to Mr. Woodroffe, and once to Mr. Nixon, who stated it to be the practice in the prison not to grant chamber-room or chummage, except to those who had paid their fees on coming in; I came in two months ago, the fees demanded were one pound eight shillings and eight-pence; I referred Mr. Nixon to the regulations publicly exhibited, by which the prison was to be governed, entitling the prisoner to the right of chamber-room or chummage, whether he had paid his fees or not; he stated that it was a practice not to allow the chummage till the fees were paid, but did not pretend to say it was a regulation, but a practice of long standing, he found it when he came here and had not altered it. I stated this to Mr. Hewlett, the secondary of the court of Common Pleas, when he came here to visit the prison previous to this term, and he desired me to state it to Mr. Nixon in writing, which I did the next morning; in the afternoon Mr. Nixon informed me he could not comply with it. He spoke first of a regulation against it, but he afterwards allowed it was not a regulation, but a practice; I pointed out to him the rules and regulations of Hilary Term, third George Second, one thousand seven hundred and twenty-nine, in which the particular regulations were (viz.) the fifth and sixth and the twelfth regulations, and the absence of the regulation alluded to by Mr. Nixon. The regulations of the third George Second, are the only regulations publicly exhibited in the prison. The pretence used by Mr. Nixon for not giving the right of chummage to persons who do not pay these fees is, that the poor side is for them; but I mentioned, on the contrary, that the poor side is for those who cannot pay the chamber-rent of seven-pence halfpenny a week. These regulations give the warden a sufficient security for his fees, that of detaining the body of his debtor till they are paid. The hardships of this privation subjects me to the great expense of paying for a lodging, and if I were turned out of that, I must either walk the galleries, sleep upon the stones, or go to the poor side. I paid for my lodging the first ten days at the rate of one pound one shilling per week, the week after at the rate of fourteen shillings, since that at the rate of ten shillings and sixpence per week; and in all these cases it is for only sleeping in that room.

60. There is another subject which I am partly directed by the prisoners to complain of, which is the unwholsomeness of the beer; I found it so when I came, and the effect was the producing a violent fermentation in my bowels and other injurious effects, I mean the porter supplied from the cellar-head; I understand from the prisoners that the porter bought out of the prison is of very good quality. I came from the King's Bench where the porter is supplied by the same brewer who supplies this prison, and there it is excellent, equal to stout; about ten days ago, the prisoners had it in contemplation to form a meeting for the purpose of making a general complaint of the porter, but it coming to the knowledge of the person at the cellar head, it was then served out much better for two days, and still is something better, but we cannot call it good. No complaint has ever to my knowledge been made to Mr. Nixon upon the subject; Mr. Richardson, a prisoner, spoke to me as I came in, and desired me to make the complaint on his behalf and the rest of the prisoners. This complaint of the beer being bad is much aggravated by the impudence of the man at the cellar-head; I never heard this myself, but knew it to be the general complaint of the prisoners; and the persons so complaining are not interested in it by any hopes of succeeding him in case of a vacancy any more than myself.

The keeper of the cellar-head is the father-in-law of Mr. Woodroffe, and is supposed to presume upon that. The prisoners believe they should be better served, and have better beer, if a prisoner had the care of it, appointed by themselves, which is the case of the tap and coffee-room. The keeper of the coffee-room has often complained to me and others present of the badness of the beer. There is no objection to employing a prisoner at the cellar-head, as a brewer would supply the beer without security, and send for the money every night.

Mr. J. Richardson.

Mr. John Richardson, a Prisoner, was called in and sworn, and examined as follows:

61. HOW long have you been here?—About seven weeks.

Have you any thing to state respecting the beer?—The beer at the cellar-head was particularly bad about ten days ago, but it is now something better, though not so good as it ought to be. I have never complained to Mr. Nixon: the brewers are Barclay, Perkins

Perkins and Company. The beer in the King's Bench is much better than here, and charged a penny a pot less; I never experienced any bad effects from the beer. At the cellar-head we have it at five-pence a pot, the same price as in the King's Bench. I have been in the trade; I think there is a want of management in the beer, and may be spoiled by negligence, but I am satisfied the beer wants body. *Mr. J. Richardson.*

Have you any thing further to state?—There is a grate at the further end of the prison near to the chapel, that is a great nuisance, and the rent charged for the rooms of one shilling and three-pence a week, is an oppression to the prisoners; it is generally considered so by the poorer prisoners, as also the in-coming fees of one pound eight shillings and eight-pence, in consequence of which the prisoners are often obliged to remain a long time before they have a chummage; the mode of chummage by Mr. Nixon is highly approved of, and his conduct in the prison highly exemplary.

John Macgee, Keeper of the Coffee-room, was called in and sworn, and examined as follows: *John Macgee.*

WHAT is the quality of the beer?—It is lately very good; about three weeks ago it was not quite so good, there not being stale beer enough in the house to mix it; it was complained of when it was mixed; the stale beer and the mild beer separately were good; there were prisoners who objected to the beer both mild and stale. When they have complained I have agreed with them that it was bad; I speak with respect to the mixed beer; I never complained to Mr. Nixon; about three weeks ago the complaints began, and lasted about a week; I believe it now to be as good as any in London, and I believe all the prisoners are satisfied with it; last night after the notice was stuck up in the coffee-room, I had a conversation with Mr. Newham upon it, and he agreed that the beer was now good; indeed the conversation was general in the room, and it was admitted by all that it was good. When any prisoner drinks porter in my room I charge five-pence for it, which is what I pay at the cellar-head, but gentlemen generally give me a penny a pot for fetching it, and the accommodation of my room, newspapers, &c. but if only five-pence is offered to me I never refuse it. 62.

Joseph Peak, Keeper of the Cellar-head, was called in and sworn, and examined as follows: *Joseph Peak.*

HAS any complaint been made to you of the beer?—No, not to me or any of my family; I have no reason to think the prisoners have any cause to complain or have made any complaint. There was no deficiency of stale beer three weeks ago, neither the coffee-room keeper nor tap-keeper complained to me of my having put in too little stale beer; I have no knowledge of the prisoners having thought the beer worse three weeks ago and better now; I drink a great deal of porter myself, and I am not conscious there is any change in the beer in the last three weeks. The coffee-room keeper and the tap-keeper have it away ready mixed by two or three gallons at a time, and they have not the same opportunity of mixing it after as I have at the cellar-head. I pay the same for the stale as the mild beer. I have always, to the best of my knowledge, behaved to the prisoners with civility.

Robert Sellers, Keeper of the Tap, was called in and sworn, and examined as follows: *Robert Sellers.*

HAVE you heard any complaint of the beer?—I have been in a bad state of health for the last three months, and have not been able to attend to business; my wife has done the business. 63.

Sarah Sellers, wife to the Keeper of the Tap-room, was called in and sworn, and examined as follows: *Sarah Sellers.*

HAVE you heard any complaint of the beer?—The first complaint I heard of it was half an hour ago, that a person was going to the Commissioners to complain of it; I never heard of its being better lately, or worse three weeks ago.

Are there many female prisoners in the gaol?—Yes, the female prisoners never come into the tap-room: I have never heard any complaints from any female prisoner.

Joseph Watts, (a prisoner) came in, and being sworn, stated as follows: *Joseph Watts.*

THE county allowance is only 3*s.* 6*d.* a week, out of which there is a deduction of 1*s.* 3*d.* a week for rent when there is only one person in a room, which often happens, and is a heavy charge upon a prisoner. The sick prisoners labour under great inconveniency for want of medical assistance, and I believe many individuals would perish, were it not for the humanity of Mr. Nixon, the deputy warden, in the assistance he gives both medical and pecuniary.

Joseph Watts.

Have you heard any complaint of the beer?—I know of no serious complaint about the beer, I believe it is very fair; I think the coffee-room and tap-room are open too late, I believe 12 o'clock, which occasions disturbances in the prison; 11 would be a reasonable hour to shut those rooms; there has not been so much irregularity in the last six months.

Henry Jackson.

Henry Jackson, a Prisoner, being sworn, stated as follows:

64. FOR every little article the prisoners buy at the shops in the prison, such as butter, cheese, &c. they pay upon an average two-pence and three-pence in a shilling more than such articles could be bought for out of the prison; in some instances the weight is light, and articles that are capable of it are adulterated. I beg to be understood, I make no complaint against Mr. Nixon, for he remedies the charges when he is told of them, and is a very humane man. The charges in the kitchen are also I think exorbitant in many instances, and the prison is overfilled, from many prisoners remaining here who might go out, which occasions a chummage that might be avoided, or we must pay them out.

Philip Maine.

Philip Maine, a Prisoner, attended, and being sworn, stated as follows:

THE beer has been very indifferent for three months, except the last three weeks; it is weak and of a bad quality; I complained of it to the coffee-room keeper, but never to Mr. Nixon. The beer was flat, thick, and weak, and bad in general; it was nearly as bad when brought from the cellar-head as when I had it from the coffee-room.

65. 27th June 1816.—*Mr. Barclay,* of the house of Barclay, Perkins & Co. the brewers who serve the Fleet prison with porter, attended, and being informed that complaint had been made of the badness of the porter served to the Fleet prison, stated, that he had never heard any complaint of it; that the beer served to the Fleet prison was the same as that served to the King's Bench prison, and all the public-houses indiscriminately; that they delivered 1,200 butts a day upon an average, and that no distinction whatever was made in the quality; that he had ordered three of his men to attend, who had the charge of the beer, and requested that they might be interrogated on the subject.

Mr. D. Johnson.

Mr. Douglas Johnson, Clerk to Messrs. Barclay, Perkins & Co. was called in and sworn, and examined as follows:

HAVE you heard any complaint of the beer served to the Fleet prison?—No, I have not; I go to receive the money every twenty-eight days, Mr. Nixon pays me; I never go into the prison; we are always very particular in the beer we send to the prisons.

James Potter.

James Potter, head Storehouse Clerk to Messrs. Barclay, Perkins & Co., was called in and sworn, and examined as follows:

HAVE you heard any complaint of the beer served to the Fleet prison?—No, I have not, for I am sure above six months I superintended the porter sent to the prisons, and the same porter is sent to the Fleet as to the King's Bench prison; there is no difference whatever, it is the same both in quality and price; the quantity of mild and stale beer is sent according to the order we receive; they mix it after they get it as they please, and the same beer exactly is sent to the prisons as to all the public-houses.

Mr. J. Pougett.

Mr. Joseph Pougett, Broad Cooper to Messrs. Barclay, Perkins & Co., was called in and sworn, and examined as follows:

66. HAVE you heard any complaint of the beer served to the Fleet prison?—I attend at the prison when the beer is delivered, and never have heard any complaint of it; indeed the beer is particularly good, it is exactly of the same quality as that sent to all parts of the town; it is not always well managed by the person who has the care of it; I am confident the beer sent to the Fleet prison in the last month has been very good, they have very little stale beer, they drink mostly mild beer; they have about ten butts mild to two of entire; I think the man at the Fleet understands the management of the beer; they have waste butts, which is composed of the bottoms of butts not drawn off, but we never allow them to use it; if we are informed of it we always take it back, and all beer that is complained of we send and examine, and if it is not good we never fail to take it back.

MARSHALSEA PRISON.

Mr. John Cruchley, Deputy Marshal, was sworn and examined.

Mr. J. Cruchley.

27th April 1816.]—WHAT is your office?—Deputy marshal of the Marshalsea, and keeper of the palace court. 67.

By whom were you appointed?—By Sir James Bland Burgess, on the 13th March 1816.

What is the number of prisoners?—Eighty-five debtors and nine Admiralty prisoners.

Is there any thing that has struck you since your appointment that you think important to communicate?—Nothing, except it is the state of the prison itself, it being too confined a place, and the cesspools being obliged to be emptied four or five times a year; the drains are also insufficient and go through a small tunnel in the top of the cellar of the keeper's house, supported by posts, which carries the water from the prison into the common sewer in the Borough; it is washed every morning by the scavenger to keep it clean.

Is the emptying the cesspools to the privy four or five times a year sufficient to keep them clean?—It is barely sufficient, and what is removed from the cesspools is obliged to be carried through the house, which is very offensive.

Could the inconvenience you suggest in the drains be remedied by a more skilful construction of them?—In the present state it could not, but if an adjoining piece of ground were laid in, I think it could be done; as the prison is not fire-proof; I think also an engine should be provided.

Is there a sufficient supply of water, and of good quality?—There is plenty of water comes in, but the vessels are calculated only for the receipt of water for immediate use; it is Thames water, the same as all the Borough is supplied with, but there is a general complaint of it.

Is there any list of the charities hung up in the prison?—A list of the charities is hung up in the lobby of the prison; they have been hung up since the Report of the Committee of the House of Commons of last Session of Parliament. 68.

Have the prisoners access to the lobby?—They may come there when they please.

Are any other tables hung up in the prison?—All the rules and orders, a list of the fees, and every thing that is mentioned in the Appendix to the Report of the Committee of the House of Commons.

Have you any regulations respecting women coming into the prison?—All women are allowed to go in indiscriminately, provided they are orderly; if they are in liquor, we exclude them.

At what time are strangers obliged to quit the prison?—At half-past nine o'clock the bell rings, and all strangers go out; at ten o'clock the gates are shut.

Do you use any means to inform yourself whether all strangers do go out?—No, we do not, we leave it to the order.

Do the Admiralty prisoners mix with the debtors?—No; the Admiralty prisoners are not suffered to mix with the debtors.

Is there any separation between the male and female prisoners?—No, there is not.

11th June 1816.]—How long have you been in office?—Since the 21st of March last.

Have you obtained any insight into any abuses since you have been appointed?—Matters have gone on much in the same way as when Mr. Jenkins was under-marshal. Except since I was last examined here, I have caused lists of the rules and regulations of the charities, of the fees, and an abstract of the Act of Parliament, to be hung up in the kitchen or coffee-room, and all the prisoners have access to this room. 69.

What is the number of prisoners now in the prison?—Ninety-three debtors, of whom five are females, and seven Admiralty prisoners. Since I was last examined, the prisoners have very much increased, and we are much cramped for room; in 14 rooms there are now, three prisoners in each. The Insolvent Debtors Act has, in my opinion, occasioned this increase.

What are the different court fees?—I receive no fees on a prisoner's coming in; but 10*s.* 10*d.* on his going out. I allow Mr. Jenkins, the clerk of the papers, 50*l.* a year, and he accounts to me for all the fees he receives.

How is the surgeon paid?—By a salary of 50*l.* a year from the Treasury. In the fees of 10*s.* 10*d.* before mentioned, 1*s.* is collected for the surgeon; and I conceive that I shall have to account to him for the amount at Christmas next, which probably will amount to about 9*l.*

Have you any thing to suggest, that has occurred to you since you have been appointed?

Nothing; except that we are short of hands when we are away in attendance at the Insolvent Debtors Court, and the Marshalsea Court, having to send up so many prisoners to both of those courts in one day; and myself and the clerk of the papers being obliged to attend the Marshalsea Court daily, when it sits, the gaol is then necessarily left under the care of one turnkey; it has been so several times since I have been under-marshal; and when

Mr. J. Cruchley.

when that is the case, I have been under the necessity of hiring additional men; this has happened to me four or five times since I have been keeper.

70. How are you supplied with coals and candles?—There is no allowance of candles for the prison; I am allowed coals and oil for the use of the lodges, which I charge in my account to the Treasury.

2d January 1818.]—Have any alterations been made in the rules and regulations of the Marshalsea Prison, since you were appointed deputy marshal?—None.

Have you any thing to recommend, that you have not already stated, for the improvement of the prison, or the better conduct thereof?—No, I have not.

What are the number of prisoners now in the Marshalsea Prison?—Ninety-nine debtors, of which 11 are females; there are also three Admiralty prisoners; there were in the vacation, in all, 125.

7th January 1818.]—Have any complaints been made of the beer?—There were, when I first went into office.

What step have you taken to redress that grievance?—I have changed the brewer to Messrs. Barclay & Co.

Have any complaints been made since you have made the change?—None whatever.

What are the two guineas a week, received from the tap-room, paid to you for?—This sum, without variation, has been paid as long as it can be traced back, and is for the use of several fixtures belonging to me, and for permission to sell beer; I am also security to the brewer, for regular payments by the man who has such permission; I have no profit whatever from the sale of the beer, but that above stated; the brewer would not serve the beer, without such security; and, on account of the regularity of the payment, which I thus guarantee, the seller of the beer is allowed, by the brewer, a discount, which amounts to about 30*l.* a year.

What is 10*s.* 6*d.* a week, received from the chandler's shop, paid to you for?—For the use of the fixtures, which belong to me, and for the privilege of selling the articles in which he deals, and from which I receive no profit whatever.

71. Have there been any riots or disturbances in the prison, since you were examined in June 1816?—None whatever.

17th January 1818.—Which is the old part of the prison?—The greatest part of the northern boundary wall, and all the interior buildings, from the day-room to the chapel, including both the strong rooms in this part, are so old and rotten, that they will not sufficiently confine a refractory prisoner; and they are so damp, that they are unhealthy and dangerous to keep a prisoner in. A refractory debtor was put into one of them, about a year since, who broke through the walls in a very short time, and climbed to the top of the wall, from whence he would have escaped, if he had not there been discovered by me.

Have any additional cisterns been put up in the prison since you were last examined?—Yes; by order of the Lords of the Treasury an additional cistern has been put up, and there is now sufficient water for the use of the prison, and by this additional cistern I think time might be allowed for the impurities of the water to subside.

Which is what you call the poor side of the prison?—The seven rooms on one staircase nearest to the privies, the remainder of the rooms are called the master's side, and consist of forty-nine small rooms; four of these are appropriated, two of them to the first turnkey and his family, and two to the first watchman and his family, and two to the chandler's shop and the person keeping it, who is a prisoner; and seven, being the whole of one staircase, to female prisoners, also the public room called the day-room, sometimes it is called the kitchen; and another room called the ale-room, which is sometimes called the tap-room, at others the coffee-room; above these rooms, on the first-floor, is one bed-room for the person who keeps the tap, and one for one of the turnkeys; above these, on the next floor, is an infirmary for men, opposite to it one for women, and between these two rooms is a small room used as a surgery; there being rarely occasion to use the female infirmary for sick persons, it is generally applied to the accommodation of prisoners on their first admission, and till they can provide themselves with bedding elsewhere; the tapster provides the bedding in this room at sixpence a night.

72. Is the ale-room of sufficient size for the use of the prisoners?—It has lately been improved; and though the ale-room and day-room are frequently too much crowded, I hear no complaints.

How do you act when a prisoner is so poor that he cannot provide himself with absolute necessaries?—When a prisoner is so poor that he cannot provide himself with food and clothing, and the charities are insufficient for the purpose, I have supplied them therewith, till I could obtain their discharge, and the Treasury have reimbursed me in my accounts.

You stated in your former evidence, that you had received one shilling from each prisoner for the surgeon?—I did, and have since accounted to the surgeon for it, and paid it up to Lady-

Lady-day last, which was for one year, and it amounted to about 20*l.* It was paid about a week after Lady-day; when he received it, he remarked, and inserted in his receipt, that it was the first time he had received any fees in the prison. *Mr. J. Cruchley.*

How often does the surgeon attend?—Very regularly, and is very attentive to his duty; I hear no complaints, and I believe there is no ground for any.

22d January 1818.]—Do you visit the rooms in the Marshalsea prison at stated times?—No, not at any stated times; but I go into them when I deem it proper, from any information I may receive.

What fees are now paid to the chaplain?—They amounted last year to about 20*l.*

Do you exercise any discretion in applying Dr. Pelling's and the Oxford charities?—I must not exceed the sum of 4*l.* as a composition for any one prisoner; I exercise a discretion in the selection of the prisoners, and am guided by the circumstances; there never is a surplus.

Is there any thing further paid by a prisoner on his admission than the five shillings and sixpence you mentioned in your former evidence?—Yes, sixpence to the secretary, for the book of regulations made by themselves, but it is optional. 73.

26th January 1818.]—Is the whole of the Oxford and Doctor Pelling's charities expended in compositions?—No; it is expended in compositions and fees, principally in supersedeas and discharge fees; I keep an account of the application, and take receipts from the prisoners as an acknowledgment from them that it has been properly expended on their account.

Have you ever found any inconvenience in the prison, arising from any of the regulations made for the prisoners?—No, I never have, and if I had, I should have interfered to prevent it: if I were to go into the room where the prisoners hold their clubs and committees, I should have no fear of meeting with any obstruction.

William Jenkins, Clerk of the Papers of the Marshalsea Prison, and the Prison of the Palace Court, was sworn and examined. *W. Jenkins.*

27th April 1816.]—WHAT is your office in the Marshalsea prison?—I am acting clerk of the papers in the Marshalsea prison, and the prison of the Palace Court, but have no appointment from the Court; my appointment is from the keeper, Mr. Crutchley, in writing; I had one also from my father, Mr. Jenkins, Mr. Crutchley's predecessor.

Do you hold any other office in the prison?—I hold also the office of second turnkey from the keeper, but not in writing.

How long have you acted as clerk of the papers?—I have acted as clerk of the papers three years; my appointment is left at the Prothonotaries' Office.

What do the prisoners pay for garnish?—The men five shillings and sixpence, the women two shillings and sixpence; it was eight shillings, but my father had it reduced; it goes to a fund the prisoners have amongst themselves, to furnish fire and hot water; the secretary appointed by the prisoners, demands it when a prisoner comes in; if a prisoner is unable or unwilling to pay, they sometimes make a subscription amongst themselves; generally so, but where a prisoner is unwilling, I believe they do not, but send him to Coventry, which excludes him the tap-room, and there is no other kitchen in the gaol, nor is there any supply of coals but what is furnished from this fund; this is what they call the college fund. 74.

Is any other payment exacted from the prisoners on entering the prison?—Not that I know of, the Admiralty prisoners do not pay garnish.

The evidence given by this witness before a Committee of the House of Commons in last Session of Parliament, was read to him as follows:

"You are the chum-master?—Yes.

"Have you ever seen the rules of what they call the college?—No, I never have.

"It is stated in the first of these articles, that the fee of seven shillings, which is paid "to the subscription fund, will entitle the prisoner to an immediate chummage, and "the benefits arising from the ale-room; explain in what manner a prisoner receives an "advantage from the subscription to that fund?—When a prisoner is brought in custody, "the secretary is called up, and goes down with him, he demands eight shillings, that is "for leave to sit in the ale-room, to have the use of the fire and hot water, and any other "necessary; his cooking may be done there, and he is at liberty to sit there all day long, "and to do as he pleases there; the eight shillings has nothing to do with the chummage, "for soon after they come in I call them, and give them a chum ticket, and direct them to "the room where they are to go.

"If a man was to refuse to pay the eight shillings, would he have his chummage notwithstanding?—Certainly."

"In what manner would a prisoner who did not belong to the subscription fund purchase coals?—He must purchase them all out of his own pocket. 75.

W. Jenkins.

" Is there any person employed to go and procure such articles?—No, I do not know " that there is.

" Are there in fact any instances of persons who do not subscribe to the fund?—No; " I never heard that there were any, it is a rule made among themselves."

Do you see any reason to alter any part of the evidence you so gave?—No, I do not.

Is table-beer sold in the prison?—No, I believe not; there would be so little drunk, it would not answer, it would turn sour.

How is the chapel attended?—It depends upon the hour of the clergyman's coming; he sometimes comes at half-past twelve o'clock, sometimes at two; it is best attended when he comes at half-past twelve; they are with their friends at dinner at two o'clock. The prisoners on the common side and the Admiralty prisoners are compelled to attend chapel, if they have not a sufficient excuse for their absence; it is optional in the others. The deputy marshal never attends, but all the officers under him do.

Is there any place of confinement for refractory prisoners?—There are two strong rooms, but they have never been made use of, not having had occasion for them.

Have there been any escapes out of the prison?—There have been none in my time.

76. Is there a sufficient supply of water to the Admiralty prisoners?—They have not a vessel sufficiently large to contain water for them, the supply of water would otherwise be sufficient for them.

9th May 1816.]—Have you read the evidence given by your father before the Committee of the House of Commons in last Session of Parliament?—Yes, I have, carefully.

The Evidence referred to *Mr. William Jenkins,* late Deputy Marshal.

" HOW long have you been deputy marshal of this prison?—Very nearly seventeen " years; I have done the duty as keeper for that time; I was not sworn into my office till " the latter end of the year one thousand eight hundred and eleven.

" Then you were not deputy marshal the first part of that time?—I was not.

" By whom were you appointed?—By Sir James Bland Burgess.

" Does Sir James Bland Burgess ever attend here?—Sir James Burgess attended here " about the time we took possession of the prison, but not since that time.

" He never visits to inspect the prison?—He has not for a considerable time past.

" Do you make any report to him?—No, I do not; he has declined having any thing " to do with the prison.

" What are his reasons for that?—I do not know.

" How long ago did he so decline?—I think in the year one thousand eight hundred " and fourteen I had occasion to report to Sir James Burgess on one of the turnkeys going " away; I waited upon him at his house in Brook-street, and he acquainted me then, that " he had declined interfering in the prison, that he would assist me with his advice occa- " sionally, but did not consider himself as having any thing to do with the prison.

" Do you consider Sir James Burgess as responsible for the security of the prison?—I " am under security to Sir James Burgess in case of escape."

77. " Sir James Burgess is knight marshal?—He is.

" Does he, in his character of knight marshal, continue to receive any fees belonging to " the prison?—He does.

" How long has this prison ceased to be the county prison of Surrey?—I should think " about twelve or thirteen years, or rather more, I speak from recollection.

" This house has been built only three years?—This is the old county gaol, that in the " middle of the court is new, and so are some other parts of the prison.

" How many apartments are there?—There are fifty-six separate rooms in the first pile " of building.

" That is not including the Admiralty part of the prison?—Including the four rooms for " the admiralty officers.

" Including also the tap-room?—No; the chandler's shop, four rooms for the turnkey, " and the poor side, with the exception of the Admiralty officers; I speak of the part intended " for debtors.

" How many apartments are there for debtors?—Forty-eight; two more might be " added if necessary.

" There are four for the turnkeys?—Yes; two of those are intended for persons who " come in only for a night and then go to the King's Bench; those rooms at this end are " intended for them.

" Is it a perquisite to the turnkeys to let those rooms to persons coming in?—I know of " no perquisite, unless they supply a bed."

78. " What is the number of debtors?—Sixty is the average number.

" What is the greatest number you have known?—During the time Lord Redesdale's " Act was in the House of Lords there were one hundred and thirty-nine.

" What is the smallest number you have had?—About thirty, and from that to " thirty-six.

" How do you select the rooms for the debtors?—When a debtor is first brought in, if

" there is an empty room he is put into it, and he remains alone till a chum is put upon " him, and so we go on chumming from the youngest up to the eldest till they are two " in a room. *W. Jenkins.*

" Have you any plan of chumming out?—If a prisoner occupying a room does not " choose to have a chum placed upon him, has he any power of chumming out by giving " money?—He has; there is a custom of that sort which has long existed.

" Have you any controul over that?—If the person whom they desire to put out is " willing to receive the money, I do not interfere; if he is not willing, I do interfere.

" Have you any controul over the sum received?—Yes, half-a-crown is the sum usually " given.

" Your son is chum-master?—Yes.

" Supposing the person chummed out wished to return to his room, has he the power " of doing so?—Yes; I should feel myself bound to put him into his room again.

" What becomes of the persons chummed out, do they hire lodgings of other prisoners?—" They do, upon the best terms they can.

" Upon what terms?—I do not know, I can only speak from what I hear.

" That you consider as entirely out of your controul?—Yes, I do."

" Do the turnkeys let lodgings?—They do not. 79.

" Is there any apartments at the tap where lodgings are let?—In one of the rooms " up stairs there has been a man and his wife some time of the name of Davy, they wanted " a bed, and a bed was put up for their accommodation, with that exception; and the time " of Lord Redesdale's bill no person has slept there to my knowledge.

" Do any persons besides prisoners possess rooms within that building you state to " be applied for the accommodation of debtors?—No, except where they have families " with them.

" Supposing a prisoner furnishes a room and then goes out of the prison, do you permit " him to retain that room and let it?—Certainly not.

" What is the greatest number of persons you have chummed upon a room when the " prison has been full?—I do not recollect more than three, and that upon very few " occasions, with the exception of the time I alluded to before, when the great number " was in.

" Do many prisoners remain here after they are supersedeable?—They have done so " since the insolvent acts have been so frequent, to take the benefit of them.

" Are they considered as entitled to the same privileges as the others, as to chummage?—" No, they are not; I may discharge them when I think proper, but I have not done so, " unless where they have been refractory; I recollect one instance of that kind.

" Are they erased out of chummage book?—They are not deprived of their room, but " they take a chum sooner than they otherwise would."

" Do any prisoners sleep in the tap?—I believe there are some who sleep in what 80.
" is called the ale-room, those that have relinquished their chummage, but I believe " very few.

" How soon after his arrival in the prison would a debtor receive a chum-ticket?—In " the course of an hour or two, when he comes up to the lodge for it; when a debtor is first " brought into the prison, a person they appoint, whom they call secretary, is sent for im-" mediately, and then a chum-ticket is made out within an hour or two.

" You do not consider it possible for a debtor to have remained two or three days in the " prison without a chum-ticket being given to him?—No such thing has ever come to my " knowledge, and I am always on the spot, unless it is a court day.

" You state that the secretary is sent for immediately, who sends for him?—The turnkey " sends for him.

" Supposing a prisoner is brought in very late at night, what is done?—The secretary " is still sent for and would attend.

" What would be done with respect to the chummage?—If the chummage could " not be accomplished in consequence of the lateness of the hour, the secretary would " get him a bed.

" The secretary is paid by a fee from the prisoners themselves?—Yes.

" That is a voluntary fee on their part?—Yes.

" A fee you have no controul over?—No, nor any of my officers."

" Is there any allowance of bedding to the debtors?—There is not. 81.

" It appears by the printed regulations, that there is a fee of sixpence to the keeper for " the use of the bed, bedding and sheets for every prisoner, if found by the gaoler at the " prisoner's request, for the first night on the masters side, is that taken?—There is no bed-" ding allowed, and consequently that fee is not taken.

" Has this regulation been ever repealed?—Bed and bedding was formerly supplied in " the old Marshalsea prison, but it was not under my controul, it was not supplied by me; " the old Marshalsea prison was private property, and I believe the person to whom the " prison belonged supplied it.

" Do you not conceive those rules are still binding upon the keeper of the prison?—" They never have been repealed by the court to my knowledge certainly.

Have

W. Jenkins.

" Have you any means of dispensing with that provision?—I have never received any " authority; but no bed and bedding has been supplied, and that I believe is known to the " court.

" If that fee was tendered to you, should you think yourself bound to supply bedding in " consequence?—I hardly know how to answer that, I should take advice about it; the " expense of bedding would be very considerable, and that fee I should not think an ade- " quate remuneration for it.

" In point of fact, have you ever had an application from a debtor for a bed?—Not " under the table of fees, I have not; I have lent beds where the prisoners have been unable " to provide them.

" Have you ever had an application, claiming the right in consequence of this provision? " —I never have.

" You claim the other fees due to the keeper in consequence of those orders and regu- " lations?—I do.

" And yet you do not feel yourself bound to supply bedding, notwithstanding that " provision in the same paper of regulations?—I have not, certainly.

" This paper was established when the prison was private property?—Yes; that table of " regulations was established in one thousand seven hundred and sixty-five."

82. " Do you account with the knight marshal for the fees payable to him under that table? " —I do, annually.

" Have the fees in that paper been deviated from?—No, they have not, except with " respect to the beds, which are not furnished by me, and of course I take no fees for them.

" Do you account with the knight marshal for the whole of those fees, or do you deduct " any part for yourself as deputy?—I account with him for the one shilling and eight-pence " for his fee.

" What do you pay to the knight marshal for those fees?—About twenty pounds a " year.

" What is the nature of your office?—Deputy marshal of the Marshalsea and Palace " Courts, and keeper of the prison.

" You receive those fees which are mentioned for the keeper of the prison?—I do.

" Do you consider yourself as responsible only to Sir James Bland Burgess for the state " of the prison?—I do consider myself as responsible to Sir James Burgess, for he has on " one or two occasions interfered; when I waited upon him lately, he assured me he had " nothing to do with the prison, but I am informed that he has.

" Suppose an Admiralty prisoner was to escape, do you not think you should be respon- " sible to the public for his escape?—I think I should for all escapes.

" You have delivered in two appointments, the one as deputy marshal, and the other as " under-marshal, what distinction do you make between the two?—The one as deputy " marshal of the Marshalsea, and the other under-marshal of the Palace Court."

83. " Do you receive any salary other than what arises as fees?—I receive a salary, paid at " St. James's, the same as the salaries to the household.

" What is the amount of that?—Three hundred pounds a year.

" For what?—For my attendance in court, and to include every thing indeed.

" Is it the salary for the two offices you hold?—Yes; no part of that I apprehend is " for the Admiralty department.

" That is beyond any fees you are entitled to take?—Yes.

" What is the amount of the fees?—The fees on the discharge of prisoners amount " upon the average to eighty pounds per annum.

" Do you receive any thing for rent of rooms in the prison?—I do not for the rooms " in the debtors part, except for the chandler's shop.

" What do you receive for that?—Half-a-guinea a week; I fitted it up when I came " here.

" What is the amount of your salary and fees?—My income from the prison altogether " is between five and six hundred pounds a year; I pay property tax on six hundred pounds " a year.

" Do you receive any rent for the coffee-room?—I receive a rent from the tap.

" What do you receive?—Two guineas a week.

" Does that go to you or to the knight marshal?—To me.

" Do you receive any emoluments upon the wine or the other liquors that may be drank " in the tap-room?—I do not; I charge a certain rent to the tapster, and that includes " every thing.

" You have no profit upon the amount of the beer?—No; as to the quantity of beer " drank I have no interest in it.

" Are there any certain hours for the tap being open?—From eight in the morning till " eleven at night."

84. " Is there any regulation as to the debtors getting more than a certain quantity of " liquor?—No; there is hardly a possibility of any controul on the quantity of liquor, while " they have at all times access to the tap.

" Supposing a person to be intoxicated, should you take any means to punish him?— " If he was refractory I should; not if he kept himself quiet.

" Should

W. Jenkins.

" Should you interfere to prevent his having more liquor?—Certainly; there is a general " understanding, if persons are tippling all day, that when they become intoxicated, they " shall be prevented having any more.

" Are spirits allowed to come in?—No.

" Do you consider that any quantity of spirits do enter the prison?—I have no doubt " that spirits sometimes get in, though I make every exertion to prevent it; the extract " from the Act of Parliament is hung up in the lodge, and there is every attempt made " to prevent it, but women are sometimes found bringing them in, they are then always " taken to Union Hall.

" Do you go round the prison at stated times?—I go round occasionally.

" How often do you suppose you go round?—Sometimes once a week, sometimes " once a fortnight; I have no particular times, but I am continually on the spot.

" When you go round, do you visit every room?—No, I do not; if I have any par- " ticular occasion to go to a room I do go.

" Have you any thing like a roll-call of the prisoners?—No; I keep a list of them " myself.

" Do you take any particular means to ascertain whether the debtors are absent from " the prison?—They cannot be without my knowledge.

" Have you had any instances of escape?—One instance of escape has occurred in " bringing a man from the court, and I paid the debt; there has been no escape from the " prison."

85.

" Have you any thing like what is called the run of the key?—No.

" There are no rules here?—No, there are not; they are all within the walls.

" Though you do not go round the prison yourself, do your officers?—They are con- " tinually in the prison, but there is no regular inspection.

" Has there been any riot or disturbance in the prison?—No; I never knew an in- " stance of the kind; the only thing which has produced any thing tending to that, has " been some of the prisoners being intoxicated in the evening, but nothing serious.

" What means of communication have the prisoners with you?—By coming to the " lodge.

" Is a debtor here any charge to a creditor?—He sues his creditor for sixpence a " day under the Lords' Act, that is the only allowance for debtors, except those on the " poor side; there are certain charities for them.

" Is there any allowance from Parliament for the repairs of this prison?—There are; " the repairs necessary are included in my account and sent to the Treasury; the money " is sent to me; I am now preparing the accounts for one thousand eight hundred and " fourteen.

" You have an account every year?—Yes.

" Have you, in the account of the repairs necessary, made any observation upon the " state of the court-yard where the water appears to lie and not run off?—No, I have not " made any report upon that; the pavement I believe has not been properly pitched there, " the privies smell very bad, and the water lies there certainly; but I am anxious to lessen " the expenses as much as possible in my account; I have generally some observations " made whenever I pass my account, as to the heavy expenses.

" What are the usual expenses of repairs and whitewashing, upon an average of years? " —I do not know what the expense of whitewashing is, the Board of Works send their " officers once a year to whitewash; I cannot state at present the average expense of " repairs, they vary every year."

86.

" How are the turnkeys paid?—In the same way that I am paid.

" By salary?—Yes; paid by the Board of Green Cloth.

" Are they appointed by you?—They are, with the exception of the head turnkey, who " was appointed by Sir James Burgess, by my recommendation.

" When you state that the turnkeys are paid in the same manner that you are, do you " mean that they are paid by fees or by salary?—I mean that the head turnkey is paid by " certain fees and by salary, the other turnkeys are only paid by salary.

" Are the fees to the head turnkey in the table of fees?—They are.

" How many turnkeys have you?—Four.

" Have you any other officers besides the turnkeys?—Four servants are allowed me " under the regulations by the Treasury, no more

" Have you any watchmen?—One of them is a watchman; I place them in such situa- ' tions as I think necessary; one does the duty of regular watchman, and the others take " the key alternatively as it suits them.

" Is there a chaplain to the gaol?—There is.

" Does he attend every Sunday?—He does.

" Does he ever attend in the week?—He does not, unless sent for particularly.

" If he is sent for, it is his duty to attend?—Yes, and he would attend, I know.

" What is his name?—His name is Webster; but he is only the deputy. The Reverend " Mr. Trollope is the chaplain.

" Who appoints the chaplain?—The knight marshal.

" The chaplain performs service every Sunday?—He does.

W. Jenkins.

" Once a day?—Yes.

" Does he deliver a sermon?—A short sermon; he generally attends at half past twelve, " except the first Sunday in the month, when it is half past two; he has been allowed to " alter his hours, by application to Sir James Burgess, as he has other churches to " attend to.

" Mr. Trollope never attends?—No.

" What is the salary of the chaplain?—Fifty pounds a year.

" Would the prisoners have the power of sending for any clergyman they thought " proper?—At any time.

" Has the under chaplain any salary?—No salary; but he has a shilling on the " discharge of each debtor; the chaplain I presume gives up the fee of one shilling to his " deputy.

87. " Is there any regular surgeon appointed?—There is.

" How is he paid?—He has a salary of fifty pounds a year, and a shilling on the dis- " charge of each debtor.

" Does he reside in the prison?—He does not; he resides close at hand in Union- " street.

" Does he attend every day?—Not constantly every day; generally about every other " day; but he comes whenever he is sent for.

" Is the conduct of the prisoners at chapel in general orderly?—I never heard any " complaint; I see the chaplain pretty regularly, and I should hear if there was.

" Do you attend the chapel?—I do not myself, I did at first; generally my son and " one of the turnkeys attend every Sunday.

" You would conceive yourself entitled to punish any prisoner who misbehaved himself " in the chapel?—Certainly.

" Is the attendance in the chapel numerous?—The attendance is sometimes more " numerous than at other times; in general not numerous.

" Should you consider yourself authorized to compel the Admiralty prisoners to attend " chapel?—I should, unless they are of a different persuasion, and most of them are " Catholics; there is a pew for them in the chapel, and they are expected to attend " every Sunday; and if they say they are not of the Protestant religion, they are generally " locked up in their rooms, or kept separate.

" Are they attended by any Roman Catholic clergyman?—They are not.

88. " Are there any nurses appointed?—A woman is generally employed when it is neces- " sary; there is no regular nurse.

" Are medicines found by the public for the prisoners?—No, by the surgeon, that is " covered by the fifty pounds a year; the only charge he makes is in case of supplying the " prisoners with trusses, but that has been very trifling.

" What is the number of sick?—There is a report made every Friday to the judge; " Mr. Morice has laid down, that ever since he has been in the court, they have generally " been from poor living before they came in, and from excesses.

" In the infirmary the floor is prepared with ring-bolts?—Yes.

" Is it frequently used as a place of confinement?—It is very rarely, but it is at this " moment; those ring bolts are absolutely necessary; when we first came in we had a " number of Admiralty prisoners here for mutiny, and there was no other way of confining " them.

" Why were the ring-bolts put in the infirmary particularly?—Because there was " no other room sufficiently airy to keep them in close confinement. There are two " rooms in the bottom of the building, intended for strong rooms, but I should not think " it safe for the health of the prisoners to lock them up there for any length of time.

" Have you ever had any infectious disorder in the prison?—Never.

" Is there any particular brewer appointed to supply the prison?—There is Mr. Green, " of Westminster.

" Would the prisoners be able to send to any other person for their beer, if they pleased? " —The prisoners may send for their beer at any time of the day out of the prison, if they " like.

" Do they in fact send?—They do. Beer is coming in all the day long."

89. " Has any complaint been made of the beer?—That depends, I should think, upon the " palate of the people; some prefer Barclay and Perkins's beer, but Green's beer is in general " good. I think there have been complaints; I saw Green in consequence of that, and he " assured me that the best is sent here. I am responsible to the brewer for the beer " sent in.

" It is all brought to the tap-master?—Yes.

" Do you derive any profit from the beer?—Nothing more than the two guineas a " week.

" Does the brewer sell his beer here at the same price as he does to his customers out? " —I believe he does; I had a letter from him at the time of the reduction of the price.

" Is your tenant in the tap connected with the brewery?—Not at all; he is put in by me, " and I am responsible for the beer supplied to him.

109. " Does

" Does the tap-keeper receive a profit upon the beer?—I have no doubt the keeper of *W. Jenkins.*
" the tap receives a profit similar to that a public-house keeper would out of doors.
" You have stated, that the prisoners may, and occasionally do, send out for their beer?
" —Continually, not only on a particular occasion, but continually, and for their pro-
" visions too.
" What means have they of doing that?—By their own messengers. And a publican in
" the neighbourhood is in the habit of coming backwards and forwards, and takes their
" orders.
" What do you mean by their messengers?—Their children, and other children who
" are about.
" Can they go out at all times during the same hours that the tap is open in the prison?
" —They can, from eight in the morning to ten in the evening.
" Then it is in their option whether they will take the beer from the tap, or the public-
" house without?—Certainly, entirely so.
" There is no expense in their sending out?—Only what they give to the children, or
" whoever they please to employ; or they may speak to the publican when he is in here."

" Do you consider that you are entitled to interfere in the regulations adopted in the ale- 90.
" room?—If any thing has been submitted to me I have interfered, but it has been very
" rarely the case that I have decided any dispute between them; formerly I held myself
" bound to interfere in case of any thing improper.
" Do you think yourself entitled to interfere to enforce regulations they have made, such
" as those relating to subscriptions?—I should not interfere unless there was a regular com-
" plaint brought before me. I submitted to Sir James Burgess the voluntary fee paid on
" their coming in; he said he saw no objection to that fee being continued, because it was
" for the accommodation of themselves; but that it was not to be enforced against their
" will.
" Supposing debtors are unable to pay their fees on leaving the prison, would they be
" kept in the prison?—They never are kept, unless it is for their own benefit, under the
" Insolvent Act; the charities always pay their fees.
" When sick persons require nurses, by whom are those nurses paid?—By me.
" Out of your own pocket?—No, I charge them in my account, and they have hitherto
" been allowed.
" Has it ever happened that a prisoner has come to the lodge, saying that he had no
" food?—I do not recollect any occurrence of that kind in this place, but in the old place
" such complaints have been made.
" Supposing a prisoner so to come, what should you think it your duty to do?—I should
" allow him sixpence a day, which I have done, when they have been actually poor, and
" charged it in my account.
" You have known of such things?—Certainly, before the act for the county allowance,
" but since the passing of that act sixpence a day is regularly paid to them till the first day
" of the Term, where they are in execution, and then they may sue for their sixpences.

" There is no begging-grate here?—None. 91.
" Are strangers permitted to see the debtors at all times?—They are, from eight in the
" morning till the hour of locking-up, ten at night.
" Do you conceive you have the power of preventing any stranger from coming into
" the prison, who has at any time misbehaved?—I think I have.
" Have you ever exercised that power?—Yes, I have; not preventing their seeing their
" friends, but preventing their going into the body of the prison; they might see their
" friends at the lodge, or within the gates; but if they had grossly misconducted themselves,
" I should not permit them to go into the body of the prison.
" Supposing you had detected any person bringing in spirits, should you prevent their
" coming in again?—If persons have come, knowing of the regulation, I should take them
" before the magistrates; but if they were detected in bringing in spirits, not knowing of
" the regulation, I should not press it to that extent.
" What power do you suppose yourself to be entrusted with, with respect to the punish-
" ment of debtors who assault each other?—In the first place, I investigate the business, and
" if they are not satisfied with my decision, the usual place is to lodge a warrant for the
" assault from Union Hall.
" You conceive you have no power to punish?—No; unless it was by a few hours
" temporary confinement; but certainly, I would not lock any man up in those rooms for a
" night.
" You would not consider yourself justified in confining a man for two or three days in
" a solitary room, without carrying him before a magistrate?—No, not for a night, in
" those solitary cells.
" Do you speak now of debtors, or Admiralty prisoners?—The Admiralty prisoners
" are locked up every night; the debtors are not.

" What is the distinction between the master's side and the poor side?—There are 92.
" seven rooms appropriated for the poor side, supposed to contain two in a room; we rarely
" or never exceed that number; there are seldom so many.

" How

W. Jenkins.

" How do you decide who shall be on the poor side of the prison?—By their taking an " oath that they are not worth forty shillings.

" Do they derive any emoluments from any charities, in consequence of taking that " oath?—They do; and they have the three shillings and sixpence per week, the county " allowance.

" Are there any scavengers belonging to the prison?—A scavenger appointed by the " prisoners themselves; I find him brooms.

" How often is the filth carried away?—Generally about once a fortnight; and I pay the " scavengers out of doors for removing it; they generally come when they have about a " cart-load to remove.

" Do you pay the scavenger in the prison?—No, he is paid the same as the secretary; " that is among themselves.

" Do you interfere at all in the execution of the scavenger's duty?—I give directions " that the prison shall be kept in a state of cleanliness, and that the scavengers shall wash " down the drains three or four times a week in the summer-time, or more; and I know " that they are kept so.

" Have you any fee or profit connected with the manure or filth carried out?—No, nor " ever had.

" You pay the scavengers out of doors?—Yes, I give them beer every time they come " to fetch away the dirt from the dust-holes.

" Is that sold by the prisoners?—I know of nothing of the kind.

" Is that payment out of your own pocket?—Yes, it is so trifling I make no charge " for it; it is nothing more than a little beer.

93. " How many rooms are there in the Admiralty side of the prison?—There are ten cells, " besides what is called the day-room.

" How many prisoners have you upon an average?—Generally from six to eight; we " have now ten.

" What has been the greatest number you have had?—I think eighteen has been the " greatest number.

" The Admiralty prisoners are locked up every night?—They are.

" At what hour?—That depends upon the season of the year; in summer, about half- " past seven; in winter, before four o'clock; it depends entirely upon the period of the " year; when the weather is very dark, they are not suffered to be at large after dusk.

" When are they let out of their cells in the morning?—They are unlocked about eight " o'clock in the morning.

" How often are their cells whitewashed?—Once a year, at the same time as the other " rooms.

" Do you see that their cells are kept constantly clean?—Yes, their cells are generally " cleaner than the debtors; they are obliged to keep them clean; but independent of that, " sailors are generally cleanly men.

" Have they any allowance from the Admiralty?—Yes, a shilling a day.

" What description of prisoners are they?—Prisoners convicted by court martial.

" Not prisoners from the Admiralty sessions?—Certainly not.

" In those rooms you confine simply those sentenced to solitary confinement?—Yes.

" Where are those who are not sentenced to solitary confinement?—They are in rooms " on the back of the prison, in rooms appropriated to Admiralty officers.

" Have they any Admiralty allowance?—They have; but when not sent for solitary " confinement; petty officers, such as midshipmen and masters mates, have only sixpence " a day, and indeed the sailors used to have only that, till I represented the case to the " Admiralty, and got the allowance increased to a shilling.

94. " The midshipmen and petty officers are allowed to live among the debtors?— " They are.

" When they are sentenced to solitary confinement?—No, not when they are sentenced " to solitary confinement; with one exception, there was one young man sent to solitary " confinement, the place was then very full; I applied to Mr. Bicknell, the solicitor for the " Admiralty, requesting he might be allowed to come in this yard, as he did not come in for " such a crime as those in that yard generally were, and he was permitted by Mr. Bicknell " to be in this yard.

" What are the offences for which the majority are sentenced?—The majority of the " offences are mutiny, and attempting to commit unnatural crimes, and desertion, and " tempting others to desert.

" Is there no separation of those classes?—There is no possibility of separating them in " the limited space we have.

" Would a man sent here for an unnatural crime be with the others?—They are all in " the yard for the Admiralty prisoners.

" The Admiralty prisoners are never committed here, except when imprisonment is part " of their sentence?—Never.

" If the surgeon considers it necessary to have further advice in any case, can he do so?— " Yes; he is quite at liberty to do that, if he thinks it necessary.

" Would that be put down in your accounts to the Treasury?—Yes, I should charge it " certainly;

" certainly; I never recollect any case in which it was thought necessary to call in the aid " of a physician. *W. Jenkins.*

" Is there a list of the charities hung up in the prison?—There is not; but the steward 95.
" of the poor side has a list of them.

" Can you state generally to what they annually amount?—I can, by reference to the " list, which I will furnish.

" Was there not a donation, by the late Duchess of Gloucester, of a certain allowance of " coals to the prison?—There was formerly, but it has been discontinued ever since the " death of her Royal Highness.

" It was not by a legacy?—No: it was a voluntary donation of the Duke or Duchess " of Gloucester.

" It ceased at her death?—Yes.

" At what period did that allowance cease?—About the time of her highness's death.

" Has there been no allowance of coals continued on since that time?—Never, to " my knowledge, and I must have known it if that had been the case; there were two " or three charities that were discontinued; fifteen stone of beef came, as it was sup- " posed, under the will of the late Mr. Baron Smyth; I enquired at the Commons and " there was no such thing there; it was a voluntary thing, and ceased as a matter of " course.

" Is there occasionally in the prison considerable inconvenience suffered by the prisoners " for want of food?—I have heard no complaints of that nature since we have been in this " place; such complaints have been made in the old place, but since the allowance of six- " pence a day from the county, no such complaint has reached me.

" That allowance is made to persons under mesne process?—Yes.

" When they are supersedeable, or under execution, it ceases?—Yes; if they come in " under execution here, that allowance is continued till the first day of the succeeding " term, they have then an opportunity of suing their creditors, and the allowance ceases."

" Do you know the expense of suing a creditor for that allowance?—The expense is one 96.
" guinea, but that is generally paid by the Society for the relief of Prisoners imprisoned for " small Debts, in Craven-street.

" Is it the custom for the prisoner, on suing for that allowance, to deposit in the hands " of the deputy marshal one guinea?—It is, unless his petition is answered; I have a " contract with the society in Craven-street to sue for the sixpences, and in some cases " where the character of the prisoner is not approved, the petition is not answered, and I then " charge the prisoner the guinea, and if the petition is afterwards granted, I return him the " guinea.

" Has any person who cannot raise the money any means of suing for his sixpences?— " I have never refused to do it; the very last term there was a man who was poor; the " charity would not allow it, and I did it for him.

" Do you ever refuse presenting a petition to one of those charities, unless the deposit " of the guinea is made in your hands?—I never refuse; the petitions are in a printed " form, and they are given out whenever they are applied for; this is the last day of serving " notices for the ensuing term; for the second list, as it is called, a person might come in " to-day in execution, he would then be in a situation to serve his plaintiff in the course " of the day, and he might send his petition to Craven-street, but it would be some time " before it could be answered.

" You do not require the guinea to be deposited before the petition is sent to Craven- " street, but before you serve the summonses?—Certainly; the deposit of the guinea has " nothing to do with sending the petition to Craven-street.

" If you did not advance from your own pocket the guinea to the prisoners, there would " be cases in which they would not be able to sue for their sixpences?—There would be in " that case; but I never refused it.

" For what is the guinea?—The serving the notices, and the preparing the papers.

" Have any complaints ever been made to you, that the supply of water is inadequate 97.
" for the use of the prisoners?—I never had any complaint of that kind, unless when there " has been a severe frost.

" Did you ever communicate to the Treasury the bad state of the drains, and the insuf- " ficient mode in which the water is carried off?—I have not communicated the state of the " drains; I had several communications with their lordships at the time the wall fell " down; I understood the determination of their lordships to be, that the adjoining premises " should not be purchased, and I considered, with the limited space we had, there was no " preventing it."

" Do not you think that it might be in a measure prevented by a covered drain?—In " some degree certainly; but I understand there is a general complaint of the sewers in the " Borough.

" Have you had any complaint lately made to you as to the malt liquor being objec- " tionable?—I have heard that it is not so good as it ought to be, but it sometimes happens " that the beer, even from the best houses, is bad, and it has in some cases been returned " when I have heard of that.

W. Jenkins.

" Is it not in your knowledge that above seventy pots of beer are daily brought into the " prison?—I do not know what number, but I should imagine a great many.

" Have complaints been made to you by the mistress of the tap that she has not been " able to sell sufficient to pay her rent in consequence of the bad quality?—No, she has " never said that.

" Did she ever complain to you that in consequence of the beer being of a bad quality " she could not sell so much as she otherwise should?—No.

" Has she ever intimated a wish to change the brewer?—Yes, for some accommodation " of her own she has wished that; but not from objection to the beer, I understand.

" What reason have you to suppose that her reason was some accommodation of her " own?—I believe if she was to have the appointment of her own brewer, she might have " some trifling allowance from him.

98. " Do you employ the same porter brewer for your own family?—No, I do not.

" Have you any reason to believe that the wish of the woman, who keeps the tap, to " change her brewer, is owing to some private motive rather than to some complaint she " has received of the bad quality of the beer?—It can be only matter of opinion with me; " but the last time I saw her she told me, 'the beer from Green and Company is as good " as that from any brewhouse in London.' I cannot account for it, unless it is injured by " mixture after it comes here; I have been with Mr. Green often, and he has assured me " the best beer he has in his cellar shall be sent here, for the most obvious reasons.

" If the woman at the tap should state to you that she could not sell Mr. Green's beer, and " that that was her reason for wishing to change the brewer, would you consent to such an " exchange?—I should, under certain circumstances, but it would be necessary in the first " instance to remonstrate with the brewer on the subject, because I am responsible to the " brewer for a considerable sum; the brewer has been a loser by this place, but certainly " I would not permit Messrs. Green to supply this place, unless they would send a good " article.

" The circumstances to which you allude are, that he has suffered from the insolvency of " the last master of the tap?—Exactly so.

" You consider yourself in consequence as in a manner bound to give Mr. Green the " advantage of remunerating himself for the losses he has sustained by the sale of his " beer within the prison?—That has been my only reason.

" If the beer should be of so bad a quality that you thought it injurious to the health of " the prisoners, or not suitable to their palate, you would remonstrate?—Certainly; and if " it was not remedied, I should appoint some other brewer.

" In point of fact, these complaints have not been made?—No.

" Neither by the mistress of the tap, nor the prisoners?—The mistress of the tap has " said, that such a butt of beer was not good, and I have directed that the brewer should " come and fetch it away; but on other occasions she has said, in her own words, 'Green's " beer is as good as any beer in London.'"

99. " Is the water that serves the prison the same that serves your own family?—Not the " pump water; I send across the street for pump water; the other is the same.

" Do you know how long the well has been sunk that supplies the prison?—I do not; " I believe it has been ever since the old county gaol was kept here.

" You do not know its depth?—No, I do not; it has never been opened since I have " been here.

" Do you admit indiscriminately any person that knocks at the gate to see the debtors " confined within the walls of the prison?—Yes.

" Is it customary for women to sleep in the prison?—It always has been the case.

" If you knew whether a woman was a man's wife or not, you would not interfere to " prevent their having women, as long as they conducted themselves orderly?—I should " not interfere if they conducted themselves in an orderly manner; the prisoners who are " brought here are mostly persons who have had their goods seized from them, and they " are so extremely poor, that their families frequently must sleep in the streets, if I did not " permit it; it is a sort of asylum for them.

" How many of the debtors have their wives and families here?—A great many have; I " do not know how many.

" Have the Admiralty prisoners the same permission to see their friends the warrant " officers?—They have always had the same liberty as the debtors, unless they have " abused it.

" Women may visit them, and stay with them as long as they choose?—They may, " unless that liberty is abused, which it has been in one or two instances.

" You mean by abuse, women conducting themselves riotously?—Yes, being drunk, " and fighting."

100. " If women do not conduct themselves ill, by drunkenness and rioting, you admit them " freely within the walls of the prison?—I have permitted them to stay.

" In point of fact, do you believe that there are many women living in the prison with " men not their husbands?—I do not believe there have been many; when I have heard " of it, I have sent for the men, and they have assured me that the women were their " wives.

W. Jenkins.

" Do you go the length of taking any cognizance upon the subject?—I never interfere, " unless there is complaint made to me of any irregularity; there have been such com- " plaints, and I have been obliged to send one to the watch-house.

" Have you any instructions from the Treasury as to the allowances you are permitted to " make for expenses incurred within this prison?—No particular instructions; since I have " been in this place, I have had some repairs and alterations that I thought necessary done, " and charged them.

" In what manner do you conduct yourself in carrying in the bill to the Treasury for " broth and certain comforts that are occasionally furnished to the prisoners who are ill?— " I send in my account, that is referred to Mr. Litchfield, the solicitor for the Treasury, and " I pass my account with him, having the certificate of the surgeon as to the broth and so " on, furnished to the prisoners.

" You have never met with any illiberality in passing your account?—No; only I have " been cautioned by the solicitor to make my expense as low as possible; but there never " has been an objection to my charges in case of sickness, and so on.

" Have you ever had any debtor here in such a state of distress as to be in want of " proper clothing?—I do not recollect any man to have been in so bad a state as to require " clothing.

" If such a case was to occur, should you consider yourself justified in allowing that?— " I cannot say; no case of that kind has ever occurred; I could not see a man go naked " certainly.

101. " The Admiralty allow clothing to the Admiralty prisoners?—Yes, and a shilling " a day, which is paid them every morning; the petty officers have sixpence a day, " if they apply for it; it is done by memorial to Mr. Croker.

" Are the men often kept in solitary confinement for a length of time?—They are " sent into that yard frequently for one or two years; they are all at night in solitary " confinement, except the officers."

Do the facts which he speaks to, lie within your knowledge as well as his?—Part of them.

As far as your knowledge goes, do you agree with him in the account he has given?—I do?

What is there which he speaks to that does lie within your knowledge?—The facts which regard the state, conduct and management of the prison during the last four years, and I have no reason to doubt my father's accuracy in the rest of his evidence.

The witness stated that complaints had been made about the porter by the prisoners since he had attended here on the twenty-seventh of April last.

Should not such complaints be made to the warden?—Yes, I directed the prisoners to him, and he said he would have it altered.

102. Does Mr. Cruchley receive any greater profit from the tap than your father did?—No, he does not; he receives only two guineas a week, the same as my father did, and as is stated in my father's evidence before the Committee of the House of Commons.

How many chandler's shops are there in the prison?—Two; but only one that rent is paid for, the other is on the poor side.

29th May 1816.]—What is your office?—Clerk of the papers.

By whom, and how were you appointed?—I am appointed by the deputy marshal, Mr. Cruchley, in writing, during pleasure.

What is your salary?—I am allowed fifty pounds a year by Mr. Cruchley, I am also second turnkey, appointed by Mr. Cruchley verbally, with a salary of seventy pounds a year upon the establishment.

Have you any perquisites or other emoluments, and do you derive any and what from the sale of liquors?—I have no perquisites or emoluments in either capacity.

In what part of the prison do you sleep?—In the keeper's house.

In what part is your apartments during the day?—In the lobby generally.

Whom do you consider as your immediate superior in office?—The keeper.

Do you consider yourself as being under his controul, and responsible to him, and how far so?—I consider myself responsible to the keeper.

How many officers and servants belong to the prison besides yourself?—Three.

By whom are they appointed?—The head turnkey by Sir James Burgess for life, the first watchman acting also as turnkey, appointed by my father and continued by Mr. Cruchley at will. The second watchman appointed lately by the keeper, he is the only acting watchman.

Which of them are under your controul, and responsible to you?—None of them are responsible to me.

103. Do you find by experience that the number of officers and servants is sufficient?—I think there is not a sufficient number.

Is the part of the prison set apart for Admiralty prisoners properly separated from the rest, the yards as well as the structure?—They are.

How

W. Jenkins.

How many night-rooms are there in theAdmiralty part of the prison?—Ten; four on the ground-floor and six above.

Of what dimensions are they, and how capable of being warmed and ventilated?—I can't answer as to the dimensions, but I will ascertain them; there are no fire-places in any of the rooms; there is a window in each, but those on the ground-floor are very close; we never let any one sleep there but from necessity.

What day-rooms, of what dimensions, for what purposes are they assigned, and how warmed and ventilated?—One day-room; I will ascertain the dimensions, it serves for kitchen and every other purpose; there is a large fire-place in it and a good window.

Is there a good infirmary?—Not in this part of the prison.

How many cells are there for refractory prisoners?—Two, called the strong rooms, near the chapel, and separated from the rest of the Admiralty prison.

Are they fit for the purpose?—Yes.

What yards or airing places are there in this part of the prison?—Only one yard.

Is this part of the prison secure against escapes?—I don't think it is; the wall is not high enough, and is without any chevaux-de-frize.

Is there in this part any hot or cold bath, and any oven for purifying infected clothes?—No.

How often are the rooms for the Admiralty prisoners lime-washed?—Once a year.

Is all the Admiralty part of the prison kept clean, and by whom?—Yes, by the prisoners themselves; the bed-rooms up stairs particularly so; those below less so, on account of the doors of them opening into the kitchen, which is the only day-room, and which was all one room originally.

104. How are the Admiralty prisoners provided with bedding and necessary furniture?—By the Admiralty.

How with fuel?—They provide themselves out of their allowance of one shiling a day from the Admiralty, which is paid to them every morning; it is transmitted by the Admiralty on the monthly settlement of the account.

How with wearing apparel in case of need?—By petition to the Admiralty.

How with washing?—They wash for themselves, or pay for it.

How with food?—They find themselves out of their allowance, and persons come in to offer them supplies at eight, twelve, and four o'clock; they generally cook the victuals themselves, and dine in the day-room together.

How with medical assistance?—The surgeon orders them up to the infirmary, and any thing he thinks proper to direct is provided, and the Admiralty pays for it.

What is the average number of the Admiralty prisoners?—About seven.

What has been the greatest number?—Eighteen.

What the least?—I do not remember fewer than seven, but I can only speak for four years.

What descriptions of Admiralty prisoners are confined in the Marshalsea?—Some for mutiny, some for unnatural crimes, none that have not been tried by a court martial.

Are the officers separated from the privates, and how?—The officers have a staircase in the debtors yard and mix with the debtors, unless they become refractory, and then they are put into the Admiralty yard.

Are any and which of the Admiralty prisoners permitted to live in the debtors apartments, and why?—None, except those before mentioned, and probably for want of room in the Admiralty side to separate the officers from the privates.

105. Are the Admiralty prisoners locked in their cells during the night?—Those only that are in the Admiralty yard.

At what time are the cells locked and opened?—They are locked at dusk, and opened at eight o'clock in the morning, summer and winter.

Are there any means of separating the different classes of Admiralty prisoners?—None, in the day.

Are any different hours assigned for admitting the different classes into the yard?—None.

Are any fees or payments required from the Admiralty prisoners to yourself, or any other of the officers or servants?—None whatever.

Do they exact any from each other?—Not that I know of; there is no garnish taken among them.

Have you ever experienced any riot or disorder among the Admiralty prisoners?—We have, but not lately.

If any should occur, have you strength sufficient to subdue it?—Not always; we have been in one instance obliged to call in the peace officers.

Are their friends permitted to visit them?—Yes, from twelve to four on week days, and from one to dusk or five on Sundays.

What other regulations have you for the Admiralty prisoners?—I recollect no others.

In the debtors part of the prison, how many night-rooms are there?—Fifty-six; four of which are occupied by the turnkeys, and four allotted to the Admiralty officers, and two are used as a chandlers' shop.

Of what dimensions, and how capable of being warmed and ventilated?—Each of them has a fire-place, and each a window, and each contains two prisoners, they sometimes have had three; the dimensions I do not know.

What

What day-rooms, of what dimensions, for what purposes are they assigned, and how warmed and ventilated?—Two; the ale-room and the tap, they have each a fire-place and two windows; the dimensions I do not know. *W. Jenkins.*

Is there a good infirmary?—Yes, one for the men and one for the women. 106.

How many can it accommodate, and is it defective in any thing?—Each, I think, can accommodate twelve persons. It is defective in bedsteads, there are none; they generally provide themselves with bedsteads and bedding; the keeper has sometimes been obliged to hire a cot, or a bedstead and bedding.

Are there any, and what strong rooms for disorderly persons?—No others than what are described as used for the Admiralty prisoners.

Are they fit for the purpose?—They are, with the exception of the roof, which is in want of repair; nor would there be sufficient air for a long confinement, there being no windows, and none admitted but through a grating in the door.

What yards and airing places are there in this part of the prison?—Only one yard, and that goes all round the pile of building; I don't think it is sufficient, it is too narrow.

Is this part of the prison secure against escapes?—Not quite, for want of a chevaux-de-frize on one side.

In this part of the prison is there a hot and cold bath, and an oven for purifying infected clothes?—No.

How often are the rooms lime-washed?—Once a year.

Is all this part of the prison kept clean, and by whom?—Yes, the rooms by the prisoners themselves, and the rest by a scavenger appointed by them.

When you observe any repairs to be wanting, to whom do you apply?—To the keeper.

Do your applications meet with timely attention, and by whom, and at whose expense is the work done?—Yes; and the work is done at the expense of the Treasury, by the Board of Works, excepting little jobs which are done by workmen near at hand, and charged for by the keeper in his account with the Treasury.

How are the prisoners provided with bedding and necessary furniture?—By themselves. 107.

How with fuel?—By themselves.

How with wearing apparel, in case of absolute poverty?—I remember only one instance in that, by my father when he was keeper.

How with washing?—They find themselves.

How with food?—By themselves, except when very poor, they are then put on the poor side and allowed sixpence a day, which is charged in the account to the Treasury.

How with liquor, and under what restrictions, and what means do you take to enforce the restrictions; if complaints are made respecting the liquor, how do you redress them?—From the tap, at their own expense, or out of doors, if they prefer so to send for it; they are restrained from the use of spirituous liquors, there are no other restrictions; we enforce the restrictions, as to spirits, by taking offenders to Union Hall; if the malt liquor is complained of we send to the brewer, and if the complaint is founded, he changes the beer.

How with medical assistance and nurses?—The doctor attends about once a day, and always when he is sent for; and if any one requires a nurse, we hire one, generally a prisoner, and charge it in the account to the Treasury.

What is the average number of civil prisoners?—About sixty; there are at present between eighty and ninety, and the greatest number has been one hundred and thirty-nine, the least seventeen.

What has been the usual proportion of female prisoners?—About five or six; there are now five.

Are there any, and what means of separating the apartments and yards of the female prisoners from those of the male?—There are none.

Are the civil prisoners allowed to set up shops, work at their trades, or to be otherwise employed within the prison?—We never make any objection to it so long as they conduct themselves properly, and not in trades that are noisy, or would facilitate their escape. 108.

Is any employment provided for such others as are willing to work?—No.

When a civil prisoner is first brought in, to whom is he carried, and how is he provided with a sleeping place and bedding?—The secretary, who is an officer appointed by the prisoners, is sent for to him, who shows him the rules and regulations they have made among themselves, and in an hour or sooner I send for him and give him his chum-ticket, which entitles him to a room, half a room, or a third of a room, according to the numbers in the prison.

How is he admitted into the use of the day-rooms and other accommodations?—By paying five shillings and sixpence to the secretary, which is a fee settled among themselves, and goes to a fund for purchasing coals, candles, &c. for the ale-room.

What fees, perquisites, or payments, are required of him by yourself, the other officers or servants, or his fellow prisoners or others?—None by myself or the officers under me, nor any by the prisoners to my knowledge, except the five shillings and sixpence before mentioned. At the discharge of a prisoner, one shilling and sixpence is paid by him on every first action, and one shilling on every other action to the head turnkey, and one shilling to the clerk.

W. Jenkins.

When there is one civil prisoner in every sleeping room, how do you dispose of the next that is brought in, and so on till there are two in every sleeping-room?—Chum him on the youngest, or if there is one supersedeable, on him first, and so on till there are two in every sleeping-room.

If the number increases, how do you dispose of the remainder?—Begin over again exactly in the same way.

109. 5th June 1816.]—What are the duties of your office as clerk of the papers?—To keep all the books belonging to the prison, such as the custody book, the Oxford charity book, the Admiralty receipt book; also to make out copies of causes on which a prisoner is detained when wanted; also rules for prisoners to compel plaintiffs to proceed. I also attend the Court, and receive the prisoners who are surrendered. I do not at present recollect any other matters. The fees for all these services, which are enumerated in the Table I receive, but account for them to the keeper, who gives me a salary of fifty pounds a-year in lieu of them.

What are the duties of your office as second turnkey?—I attend the gate occasionally in this capacity; no fees or perquisites are due to me.

What rent does each prisoner who has no chum pay for his room?—No rent whatever, or other payment.

When two or more are lodged in the same room, is it allowed to one to agree with the rest to leave him in the sole occupation of the room; and is there any and what restriction upon the terms of such agreement?—In general two shillings and sixpence a week is paid to get his chum out.

In what manner is the prisoner who gives up his share of the room allowed to provide himself with another sleeping-place?—He generally hires a lodging amongst the prisoners as well as he can, he sometimes sleeps in the ale-room.

Is this practice liable to any abuse or extortion?—I never have heard that such is the case.

110. If a prisoner is too poor to provide himself with a sleeping place, and a bed at his own expense, how are they provided for him?—There is no provision; and I recollect no instance of a want, but one Robert Cockton, who my father, when keeper, provided out of charity.

Is any and what difference made between prisoners upon mesne process, prisoners in execution, supersedeable prisoners, and prisoners for fines or contempts?—There is no difference made, except in those who are supersedeable, on whom a chum is sooner put than on others, and if riotous we turn them out.

Do you take any and what means to rid the prison of such as are entitled to their supersedeas?—Yes; I apply, at their request, to the court, by affidavit, for their discharge, and without their request, when they misbehave themselves.

At what hours are the prison gates locked for the night, and allowed to be opened in the morning, for the admission of strangers, and under what restrictions are they admitted, and what means are used to oblige them to leave the prison before it is locked up?—It is locked up at ten at night, and opened at eight in the morning, summer and winter; there are no restrictions to admission except misconduct; the bell is rung at half-past nine o'clock at night, and one of the officers goes round the prison, crying "Strangers, women and children, all out." We use no other means of compulsion.

At what hour are the civil prisoners required to leave the tap, and other day-rooms, and to retire to their sleeping-rooms, and how is this regulation enforced?—At eleven o'clock the tap always closes, and they leave the ale-room at the same hour, except on Monday, which is club-night, and then at twelve; the tap always closes at eleven; one of the watchmen calls the hour at the window, and either he or one of the officers sees them out.

111. Are any of the prisoners permitted to absent themselves from the prison?—No; not even by rule of court.

Are the wives and children of prisoners on the civil side allowed to live with them by night as well as day?—Yes, as long as they conduct themselves properly.

Are other women allowed to remain in the prison after it is locked up for the night?—Not if it is known.

Have riots or disorders frequently happened in this part of the prison, and if so, what has usually been the cause of them; what means have you taken to repress them, and have you found your strength and authority sufficient for the purpose?—No, not frequently; when they have happened, we have locked the disorderly prisoner in the strong room, and we have always found our power sufficient with the debtors.

Are you aware of any extortions or other abuses practised by any of the officers or servants to the prejudice of the civil prisoners?—No, I am not.

Are you aware of any extortions or other abuses practised by the civil prisoners towards each other?—No, I am not.

Are there any charities to the civil prisoners which are not contained in the lists you have delivered, and how and by whom are the charities distributed?—No; the steward appointed by the prisoners on the poor side receives and distributes all the charities except the Oxford charity and Dr. Pelling's, which are applied by the keeper for fees incident to discharges

and for compositions to plaintiffs; the distribution amongst the poor prisoners is agreeable to rules made by themselves. *W. Jenkins.*

Is there any begging box in this prison?—No.

Are lists of the charities, the Act for preserving the health of the prisoners, and the clauses against the use of spirituous liquors, hung up in conspicuous parts of both divisions of the prison?—They are all hung up in the lobby, and the ale-room in the debtors part of the prison, but not in the Admiralty part of the prison. 112.

Has this part of the prison a sufficient yard for air and exercise?—No, I do not think it has.

Is it provided with other suitable conveniences?—No; the drains are very bad, so are the privies.

How are both parts of the prison supplied with water, in respect to quality as well as quantity?—There is a sufficiency of pump water, but it is not very good, it is chalybeate; of river water supplied by the London Water Works there is not a sufficiency, especially on Sundays, for want of larger cisterns, and it is occasionally foul, being drawn off so immediately after coming in.

Have you within the prison any engine or other provision for extinguishing fire?—No.

Is there any and what provisions of mops, brooms, and other articles for cleaning the prison, and at whose expense?—Yes, at the expense of the Treasury, except for the ale-room, for that they are found by the prisoners out of their own fund.

Are both parts of the prison properly drained?—No, I do not think they are.

If you are aware of any material defects in this point or any other state them?—None but what I have mentioned.

Are you aware of any nuisances within the prison or without it, near enough to affect the health of the prisoners, and if you are, describe them?—No, I am not, except it is the closeness of the place.

Have you any roll-call or any other means of ascertaining whether all the prisoners are where they ought to be?—No. 113.

How often do you go round the prison and visit all the apartments to see that all the regulations are duly observed, and whether at stated times or how otherwise?—We make no visits at stated times.

Do you attend the chapel yourself at the times of divine service, and is your seat so placed as to enable you to watch the behaviour of all the prisoners?—Yes, I do generally, and my seat is so placed.

At what time or times in the day do you think the service might be performed with the greatest convenience, to induce the greatest number of prisoners to attend it?—At eleven o'clock.

Are Roman catholics and other dissenting prisoners, as well criminal as civil, allowed to be attended by clergy of their own persuasion at proper hours if they require it?—Yes, if they send for them, but I do not recollect any application.

Do you keep any accounts which require to be audited, and if so, by whom are they audited, and at what periods?—Accounts of the charities are sent into the court every half-year, and audited by the deputy prothonotary, Mr. Hewlett; no others.

Do you make any periodical returns of the state of your prison, and to whom, and at what periods?—No otherwise than by delivering a list of the number of prisoners to the court every Friday.

Can you suggest any improvements in the rules and regulations for the management of the prison, with regard to the health of the prisoners, their diet, their safe custody, their moral and orderly conduct, or with a view to prevent them from wasting their property in useless extravagance to the injury of their creditors?—No, unless the prison was made larger, none as to their diet; with respect to their safe custody, a chevaux-de-frize fixed on the top of the left side wall as you go in would be of advantage; none as to their moral or orderly conduct, nor with a view to their wasting their property; I recollect only one or two instances of this, and those but by report.

AT THE MARSHALSEA PRISON. 114.

27th June 1816.]—*William Jenkins*, the second Turnkey, was sworn.

HE delivered the following copy of a Notice he had posted yesterday about half-past three o'clock, in three different parts of the prison, one in the ale-room, one in the tap-room, and one on the outside of the ale-room.

"Marshalsea Prison, June 26th, 1816.

"Notice is hereby given, That the Commissioners to enquire into the state, "conduct and management of certain of His Majesty's gaols, will attend at the "above prison on Thursday the 27th June instant, at 10 o'clock precisely.

"*John Cruchley*, Deputy Marshal."

W. Jenkins.

The Commissioners ordered information to be given in the prison that they were assembled; which being done, William Jenkins, the second turnkey, again attended, and attested his having given such information throughout the prison.

The Commissioners remained two hours in the prison, and no prisoner attended to make any complaint, or to communicate any circumstance whatever.

28th January 1818.]—*William Jenkins*, second Turnkey, again examined.

115. DO you keep the books of the prison?—Yes.

What are the titles of them?—The day-book, the custody-book, the rule-book, the book for charities on the poor side, the book for entering those who receive the county allowance, the chummage-book, the Admiralty book for entering Admiralty warrants when prisoners are received.

Who distributes the charities?—The steward, who is a prisoner; he is appointed by the prisoners, and is the same person who is secretary. I do not know by what rules he distributes the charities.

Do the Admiralty prisoners partake of the charities?—No; there are no charities to the Admiralty prisoners.

Rev. T. Webster.

9th May 1816.]—The Reverend *Thomas Webster*, Curate to the Prison of the Marshalsea and the Palace Court, was sworn; and the Evidence given by him before the Committee of the House of Commons, last Session of Parliament, was read over to him, article by article, and severally attested by him, as follows:

116. "DO you act as chaplain to this prison?—Rather as curate; I do the whole of the "duty for the chaplain, Mr. Trollope, and have done, for these seventeen or eighteen "years.

"What salary does Mr. Trollope allow you for doing duty?—He allows me 20*l.* a year "salary, besides the fees, which amount to ten or twelve pounds.

"There is service once on a Sunday?—Yes.

"Is there any occasional service here?—No; except Christmas-day and Good Friday, "and fasting-days, if any are appointed.

"Do you often attend, in the prison, persons when they are sick; or is it part of your "duty to attend the Admiralty prisoners who are here, either in solitary confinement, or "for the purpose of punishment?—I must declare, that I am very happy to say, I am "called upon very little, for the prison appears to be quite healthy; I have very few sick "to visit."

117. "Do you visit the Admiralty prisoners who are confined here?—They come into the "chapel; if they came into sickness, and called for me, I should go immediately.

"You do not feel it part of your duty to attend and amonish them, in the hopes of the "advice you give them, leading to better conduct in the future?—I scarcely know what "answer to give to the question, because it is not common with the clergy to attend, even "amongst their own congregation; if they find any one running into egregious errors, "they certainly think it their duty; but I have not heard of any of these poor things that "have been confined here, being so very refractory as to require any particular admonition, "especially from me.

"In point of fact, do you ever visit the prison on the week-days?—Never.

"Have you been sent for to sick prisoners frequently?—Very unfrequently.

"Have you been sent for within the last six months?—Not once.

"Have you ever been sent for, to admonish any of the Admiralty prisoners?—"Never.

"If you were sent for, you would attend.—Certainly.

"You would consider yourself bound to attend.—Certainly.

"Have you any written instructions?—I have none; I never had any.

"Are any Bibles distributed in the prison; or is there any Bible where the Admiralty prisoners are confined?—I have all along been obliged, myself, to find a Bible at the "church, and there are no Prayer Books for the poor prisoners, when they attend the "chapel, nor no Bibles; I mentioned the matter to Mr. Trollope, he said he would en-"deavour to provide, but has not at present.

"How long ago was that mentioned to Mr. Trollope?—More than six months; "but Mr. Trollope informed me, that if he did provide, it must be out of his own "pocket."

118. "Does Mr. Trollope, in any case, attend here?—No, he does not.

"Do you preach a sermon every Sunday?—Always.

"Is the attendance numerous?—I cannot find fault with them in that respect. At first, "when I came here, they used to compel those on the poor-side to attend; but I am not "fond of any kind of force to religion, and I advised it should be set aside, and I have "found the attendance much more numerous than it was before.

"What

Rev. T. Webster.

" What number of persons should you think attend the chapel, independent of " the Admiralty prisoners, every Sunday?—We have seldom more than 14 or 15, some- " times 20.

" The Admiralty prisoners are forced to attend, are they not?—I do not know, " indeed.

" What number of persons are confined here generally?—About three-score, I " think.

" Is there a clerk to read the responses?—There has not been a clerk of late, and that " burthen has lain upon me, to request some one would come; and I have paid a clerk his " salary, myself, for those eighteen years, nearly the whole time I have been here, out of " my own pocket; I could not expect them to attend without something; I have given " them but a shilling a month neither.

" Is the clerk a debtor?—Always a debtor; I could wish him to be a debtor.

" Do the prisoners behave decently in chapel?—Extremely well."

119. " Is there any division between the men and the women prisoners, in chapel?—I do not " recollect any thing of the kind.

" Do any women attend chapel?—Yes.

" Do the children that are in the prison attend chapel?—Several of them come.

" Is the Sacrament ever administered here?—No; Sir James Burgess wished it much " to be done; and it is a matter I wished to be attended to; but I gave notice, and I " delivered a sermon on the subject, but there was not a single soul came; and at that " time there were two or three persons, whose names I do not recollect, some of the " genteel sort of the prisoners, I was conversing with them, and they told me, that they " were much hurt at hearing the Sacrament should be administered in such a place as " this; such a profligate place, like all other prisons; they said, we cannot compose our " minds to attend upon so sacred an ordinance, while we are confined here.

" Owing to the profligacy of the prison?—There is not more than in any other " prison; I believe there is less here than there is in most prisons; very little for " a prison.

" Have you never made the experiment since?—No."

He was then further examined.

HAVE you been sent for by any sick prisoner within the last twelve months?—I don't recollect that I have.

At what hour is divine service performed?—I attend at half past twelve, except on the first Sunday in the month, and then the service commences a quarter before two.

Do the prisoners attend less regularly on the first Sunday in the month than on other Sundays?—I have never heard any fault found, but I do not attend myself on those days; I get a person to attend for me, and therefore I cannot correctly speak to the fact.

Is not your chapel very dirty?—It has been cleaned of late, and a fire is made in it in the winter, on account of the damp.

Have you proposed to administer the sacrament since you gave your evidence before the Committee of the House of Commons?—I have not.

Has any thing occurred since you were examined before the Committee of the House of Commons that might occasion you to alter any part of that evidence?—No; I should now in general give the same evidence.

Is the chapel convenient?—There is no defect in the arrangement of the seats for the accommodation of the prisoners.

Have you any thing to suggest that you conceive might be of advantage?—Nothing, unless I might be permitted to suggest the providing a few Bibles and Prayer-books for the use of the prisoners.

Would they be safe in the chapel?—As far as I can judge, I believe they would.

J. Smitherman.

11th June 1816.]—*Mr. John Smitherman*, first Turnkey of the Prison of the Marshalsea and Palace Courts, was sworn, and examined as follows:

120. WHAT is your office?—I am doorkeeper; I was appointed by Sir James Bland Burgess, on the 30th of December 1811, at a salary of £.80 a year, which I receive on the establishment of the household, and a fee on the discharge of every prisoner of 1*s.* 6*d.* on the first action, which is included in the 10*s.* 10*d.* received by Mr. Cruchley; for every action the prison pays 4*s.* 8*d.* of which I receive 1*s.* My fees upon an average amount to about £.20 a year.

Have you any other perquisites, and do you derive any from the sale of liquors, and what are the duties of your office?—I have not, nor do I receive any emoluments from the sale of liquors; I unlock the doors of the Admiralty prisoners in the morning, and I lock them up in the evening.

In what part of the prison do you sleep?—I have a room over the tap, where I live with my wife and children; I have but one room, and no other apartment in the day, except the lodge.

Who do you consider as your superior in office, and to whom do you consider yourself responsible?—The knight marshal, to whom I gave a bond for the faithful discharge of my

J. Smitherman.

duty in a penalty of £.1,000; my immediate superior in the prison is Mr. Cruchley, whose orders I consider myself bound to obey, but have executed no bond to him.

How many officers and servants belong to the prison besides yourself?—Three, exclusive of Mr. Cruchley.

By whom are they appointed?—When they first came they were all appointed by Mr. Jenkins, the late keeper.

Which of them are under your controul and responsible to you?—All, except Mr. Cruchley, I consider responsible to me.

121. Do you find by experience that the number of officers and servants is sufficient, or more or less than sufficient?—I don't think they are, being often obliged to leave the prison under the custody of one man when we attend the courts with prisoners; this inconvenience has arisen since the insolvent debtors court has been established.

Is the part of the prison set apart for the reception of Admiralty prisoners properly separated from the rest, the yards as well as the structure, and if not state the defects?—I don't think that part of the prison sufficiently secure; with respect to the buildings and the yard, there is no chevaux-de-frize on the wall; and of the rooms, the grating of the windows being fixed in wooden frames is not sufficient, as it may be easily worked out.

How many night-rooms are there in the Admiralty part of the prison?—Ten, four below-stairs and six up-stairs.

Do the Admiralty prisoners sleep together?—Only when we have more prisoners than there are rooms.

Is the prison secure against escapes?—There is a place over Mr. Cruchley's kitchen that is only boarded at the top of the wall to make it the height of the other walls, and that I think is not secure.

Is the area of the prison sufficient for air and exercise?—I think it is not; I have known instances of prisoners removing to the King's Bench and the Fleet prison, on account of the place being so confined.

122. Is there any money taken by way of garnish?—I know of no money taken by the prisoners from each other by way of garnish, except the 5*s.* 6*d.* which goes to their own fund, and which supplies them with coals and candles, and a newspaper in the ale-room, and pays their secretary and one scavenger, and finds mops and brooms for cleaning the ale-room; mops and brooms for cleaning the yards are found by the Treasury. If a prisoner is too poor when he comes in to pay the 5*s.* 6*d.*, they sometimes make a subscription amongst themselves, and pay it for him.

Do you know that the prisoners have a committee to manage their own affairs?—I believe they have; at which, I am told, they fine each other for what they term misdemeanors; the secretary of the prisoners is steward of the poor side.

[The evidence given by Mr. William Jenkins, the clerk of the papers, was then read over to the witness, article by article, and he fully attested the same.]

Mr. C. Phillips.

29th May 1816.]—*Mr. Charles Phillips,* Surgeon and Apothecary to the Prison of the Marshalsea and the Palace Courts, was sworn, and examined as follows:

123. ARE you employed as surgeon and apothecary to the Marshalsea Prison?—Yes; I have been employed about five years.

How and by whom are you appointed?—I am appointed by patent from Sir James Bland Burgess, confirmed by the Treasury, at a salary of 50*l.* a year, and an allowance for extras, such as cupping, bandages, trusses, tapes, &c. No allowance is made me for medicines, clysters, and other plasters, nor extraordinary accidents, nor for attending inquests or deaths; but I have it in contemplation to ask an increase of salary, in consequence of the present salary being insufficient for medicines and medical and surgical duties attached to the office.

How near to the prison do you reside?—Not more than three hundred yards distant.

Do you attend at stated times, or only when sent for?—I attend generally, to ascertain if any thing is wanting, and always when I am sent for.

What is your opinion as to the health of the prison?—I have in general found it very healthy. We never have had any epidemic in it, such as typhus or scarlet fevers, during the five years it has been built.

Is there a proper infirmary in both parts of the prison?—No; when any of the Admiralty prisoners are ill, they are brought out and placed in an infirmary, which contains two wards, one for males, the other for females, situated between the debtor's and the Admiralty part of the prison, on the first floor; both rooms are very airy, and are properly warmed by fire-places. Each of the wards will contain with convenience six patients.

124. Have you observed any thing in any part of the prison liable to render it unwholesome?—No, excepting the privies; they occasion considerable annoyance.

Is the prison airy?—It is in general very airy; it is rather narrow and long; but there appears sufficient space for walking round the building, but not for any games of exercise.

Is there any gallery or other place within the prison, where the prisoners can take exercise in bad weather?—There is not.

Mr. C. Phillips.

Can you give any information that may be of use to the health of the prisoners?—Nothing, I think; except it was a little more room for the exercise of the prisoners.

How are the prisoners provided with sick diet?—When any prisoner falls sick, he is removed to the infirmary, and provided with every requisite, both as to sick diet, medicine, fire and nurse, if necessary, who is usually selected from among the prisoners; the keeper finds them, and is paid, I believe, by the Treasury. In common cases of illness, nurses are not provided; they depend for assistance upon their fellow prisoners, and I have never found a want of attendance. I keep a daily report book of the state of the invalid, expressing his situation and his wants, which is always in the possession of the under-marshal, and serves to prevent him being imposed upon by false pretences of feigned sickness. I have occasionally given the marshal a special certificate where there has been a case of any long sickness, to justify his charge for the diet that has been provided by him.

Are you not at times without patients?—It sometimes happens that I am without ny patients, at others that I have four or five.

125. Has there always been a surgeon?—Yes, but he was formerly paid by a stoppage of one shilling from each of the prisoners; that fee is not received by me, nor do I receive any thing from the prisoners in any shape as fees or otherwise. In my evidence before the Committee of the House of Commons, the amount of 9*l.* a year received for fees upon an average, must have related to the old fees received by my predecessor, or from information that had been given to me, none such having been received or claimed by me.

Has it occasionally happened that you have been called in to deliver females?—It has happened, but I do not recollect more than once; I do not consider that as included in my salary, but that my attendance in that as a matter of courtesy.

Are you acquainted with the vacant piece of ground adjoining the prison, which it has been proposed to lay into the prison?—I am, and think it would contribute much to the health and comfort of the prisoners if it was so laid in; I have heard that thoughts have been entertained of taking it into an adjoining church-yard, and I fear, if application be not made for it soon, it may be too late.

Is there any complaint of prisoners suffering for want of food?—I have never seen any, nor heard of any authenticated instance.

Does the situation in which the privies now stand in any way affect the infirmary?—No, because they are faced the contrary way.

Can you suggest any removal of the privies?—I think they could be removed near to the Admiralty gate.

Are the drains properly taken care of in the prison?—Yes, I believe they are; the water is sometimes left running carelessly, which makes the flags damp and wet, and there is no sink or channel to let it off. The dust-hole adjoining the privy is open and frequently offensive.

126. 21st June 1816.]—Mr. *Charles Phillips*, surgeon and apothecary to the prison of the Marshalsea and the Palace Courts, was, at his own request, called before us, and was sworn; and the evidence given by him on the 29th May last being read over to him, he now confirms the same; and adds, that he neither has received nor looks to the payment of any fees, except his annual salary of fifty pounds, and such extra sums as are paid for linen rag, lint, trusses and cupping, which are also paid by the Treasury.

17th January 1818.]—You stated in your former evidence, that you never had received nor expected to receive any fees, as surgeon of the prison of the Marshalsea; have you since received any?—Since I was last here, Mr. Cruchley stated to me that he had collected the fee of one shilling on my account, from each prisoner, as contained in the table of fees; and that being collected under a parliamentary enactment, he must pay it to me, upon which I consented to receive it, provided he would allow me to insert in the receipts, that they were the first fees I ever received; the money paid to me by Mr. Cruchley on this occasion, was, according to my recollection, 18*l.* some odd shillings; Mr. Cruchley having deducted one shilling a week for the trouble of collecting the money; in consequence of the receipt of these fees, I have abandoned my intention of applying to the Treasury for an addition to my salary.

Have you any written appointment as surgeon?—I have, and will deliver a copy of it.

Have there been any deaths during the last year?—Not one.

Sir J. B. Burgess.

16th November 1816.]—*Sir James Bland Burgess*, Baronet, being sworn, was examined as follows:

127. WHAT office do you hold that is at all connected with the prison of the Marshalsea and Palace Court?—I am constituted by letters patent of His present Majesty, marshal of His Majesty's household, and marshal of the Marshalsea of the household, and under the letters patent of King Charles the Second, I am *virtute officii*, as marshal of the household, one of the judges of the King's court of the palace of Westminster.

In which of these characters have you any connection with the prison?—In both.

Who

Sir J. B. Burgess.

Who appoints the officers of the prison?—I appoint every officer of both prisons. The lord steward appoints the steward of the court, and jointly with the marshal of the household, the counsel and attornies.

Is the prison specially attached to the court?—It is, to both courts.

Are there any persons confined in the Marshalsea prison as debtors, except such as are sued in the Palace court?—None.

What is the limit of the jurisdiction of the court?—Twelve miles round the palace of Westminster.

Is there any limitation as to the amount of the debt that is to be sued for in that court?—None.

By what particular appointment have you the nomination of all the officers of the prison, being only one of the judges of the court?—By the authority of the two patents of King Charles the First and Charles the Second: by those patents it is directed, that there shall be hereafter in some convenient place, within twelve miles from our said palace at Westminster, and within the jurisdiction of the court aforesaid, one prison or jail, for the keeping, detaining and safe custody of all and singular persons within the precinct or jurisdiction of the court aforesaid, attached or to be attached for any cause whatever, which shall happen to be taken cognizance of, or held in the court aforesaid, or are begun there, to be detained until they shall be in a legal manner discharged; and also we will by these presents, for us our heirs and successors, grant, ordain and constitute that there be for ever in the Court of the Lord the King, of the King's Palace at Westminster aforesaid, an under-marshal of the court aforesaid, who shall have the custody of the prison or jail aforesaid, and of the prisoners therein being. These patents further grant "to the marshal of the household of us our heirs and successors for the time being, full power and authority of nominating, ordaining, constituting and admitting one other person to be under-marshal of our Court aforesaid, and keeper of the prison of the Court aforesaid, and of the prisoners therein being, who shall do and execute all things which to the office of the keeper of the prison of the aforesaid Court appertain to be done, and one other fit person to be door-keeper of the same prison." In pursuance of this authority I appointed John Cruchley under-marshal and keeper of the prison, who was sworn in and admitted in court, and I have also appointed him keeper of the Marshalsea prison.

128. By what authority is the surgeon and chaplain appointed?—They are not mentioned in the patent; they are appointed by me.

Who appoints the other officers of the prison?—It was by an order from the Treasury that I made my report of the sufficient number of officers and the salary.

Was that Report acted upon?—The recommendations in the Report were not exactly attended to, but it was attended to in substance, because officers were appointed with regular salaries paid by the Treasury.

How long is it since a chaplain and surgeon have been appointed to that prison?—I apprehend there must always have been a chaplain attached to the office of marshal; I always understood so.

Was it a part of the duty of that chaplain to attend the prison?—Yes, of course the duty is performed every Sunday; the chaplain was an ancient appointment, but there was an alteration before I had any thing to do with it; he received a salary of fifty pounds a-year, before that he received about ten pounds a-year, but that was before my appointment; I myself stated the propriety of having a surgeon appointed to the prison, because complaints had been made to the Court of the bad care taken of the poor people there; I mentioned it to the Treasury, and they authorized me to appoint a surgeon to the prison, and gave him a salary of fifty pounds a year, that is a recent appointment.

Then, further than the appointment of the deputy-marshal, and the other officers of the prison, do you consider yourself as having any thing to do with the prison itself?—Certainly not; I am entitled to no authority but that arising from the patent.

129. What arrangement exists with respect to the appointment of under-marshal?—The under-marshal is entitled to prison-fees under the patent, the amount of which I do not know; but he has in addition to this a salary paid by Government of I belive three hundred pounds a-year, and a house and other advantages of that sort; this is a recent allowance, at the same time an appointment took place of two turnkeys and two watchmen, equally paid by the Treasury.

Is the deputy-marshal liable to escapes?—I apprehend entirely so.

You do not consider yourself as liable for escapes?—Certainly not.

Do you ever feel it to be part of your duty to visit the prison?—Certainly, as one of the judges of the court.

Is it within your knowledge that the other two judges of the court consider it part of their duty to visit?—Certainly; I have gone over the prison several times with the successive lord stewards and with the steward of the court. It frequently happens that complaints have been made, and we thought it our duty to enquire whether they were true or not.

Then you do not consider yourself as having any more jurisdiction in the management and direction of the concerns of that prison than the other two judges of the court?—Certainly not; I consider myself as *functus officio*, when I have executed the power given me of appointing a keeper of the prison, and I have not any power over him but as a judge of the Court.

Do

Sir J. B. Burgess.

Do you act as a judge in the court now?—Yes, I do.

Is it discretionary with the lord steward and the marshal of the King's household to attend as judges, or not?—There is a regular judge, who must attend every day as steward of the court; he is a law officer, and bound to attend, when we do go we take precedence of him.

130. Do you enjoy any fees?—Yes; there is a schedule of fees annexed to the patent of Charles the First, which is the guide for the court, and no other fees can legally be taken.

What is the nature of those fees?—All the fees of the court are divisible between the marshal of the household, steward of the court, prothonotary of the court, deputy prothonotary, crier, keeper of the prison, and turnkey, or, as he is described, door-keeper; I believe these are all who are entitled to any fees; the greater part of these fees arise from the judicial business of the court; there is a fee upon almost every proceeding of the court, which goes to one officer or the other; there is one distinct fee of twenty-pence on discharge of each prisoner from the prison, which is given by the patent to the marshal of the household; there are a number of other fees given by this same schedule, which I do not recollect, to the under-marshal or keeper, and the turnkey.

Are the communications which take place between the keeper of the prison and the Treasury concerning the prison, made through you, or directly from the keeper by him?—I have nothing to do with them.

Do you happen to know whether the Marshalsea prison is visited by any other magistrates except the judges of the court?—I really do not know.

Is the under marshal appointed for life, or during pleasure?—For life, by direction of the patent; I have no power to turn him out; I have not even power to turn out the turnkey.

131. In consequence of your having frequently visited the prison and heard the complaints of the prisoners, can you inform us of any existing abuses, or other matters, which require remedy?—I cannot; I never heard of more than one or two complaints against the officers of the prison, and those upon inquiry, turned out to be perfectly groundless. In the course of more than twenty-one years which have elapsed since I received my appointment, I have reason to believe that the conduct of the officers of the prison has been faultless.

Does your long acquaintance with the prison enable you to suggest any amendments that would be useful in the existing rules and regulations?—I am not aware of any such; there is a book in the hands of the prothonotary, containing the rules of the court and the prison.

As you consider yourself as having no authority over the officers of the prison further than as one of the judges of the court, is there any other person to whom you consider them as being responsible in a summary way for any neglect of duty or other misconduct?—To no one individually, but certainly to the court.

27th February 1818.]—What is the condition of the bond given to you by Mr. Cruchley?—The condition of the bond given is for the due execution of his office; I believe so, but I speak from information, the bond being in the hands of Mr. Cruchley, late deputy prothonotary, who has left the kingdom, and his papers being in great disorder, I have been unable to find it.

You have stated in your evidence, that you appoint every officer in the prison?—The Treasury authorized the marshal of the household to appoint three subordinate officers to the prison, namely, a second turnkey and two watchmen, and gave salaries to them as well as the first turnkey; by virtue of which, I gave permission to the under marshal or keeper of the prison, on account of his responsibility, to nominate the three subordinate officers.

Mr. B. Morris.

25th November 1816.]—*Mr. Burton Morris,* Steward of the Marshalsea Court, was sworn, and examined as follows:

132. WHAT office do you hold?—I hold the situation of steward of the Marshalsea of the King's House, and steward and judge both of the Marshalsea and Palace Court.

How long have you held those offices?—About five years.

Have you in both or either of those characters, any authority over the officers of the prison?—None individually, but only as forming a part of the court, being one of the judges, which exercises his authority over all the officers sworn in as officers of that court.

Do you consider the court as having any authority to form rules and orders for the management of the prison, or only to administer redress according to existing rules and orders, upon complaint made to the court?—I consider the marshal of His Majesty's Household, who has likewise the situation of the marshal and marshalsea of the King's House, the proper officer to overlook the prison, and to make regulations for the good governance thereof; at the same time I think there is a power vested in the court to overlook the conduct of the officers of the prison, and to grant redress by rules, regulations, or otherwise.

Have you, in point of fact, made or been called upon to make any rules since you have been in office?—I have not made or been called upon judicially to make any.

Have any complaints of misconduct been made to you of any of the officers, or the state or management of the prison?—I recollect none since the removal to the new prison, and none at any time against the officers.

J. W. Croker, Esq.

25th March 1817.]—*J. W. Croker*, esquire, Secretary to the Board of Admiralty, was sworn, and examined.

133. WHAT is the use that is made of the Marshalsea prison by the Admiralty?—In answer to that question, it may perhaps be convenient that I should give all the information I possess upon the subject. I apprehend, that about the time of the Revolution, and probably after that, certainly subsequently, the court of Admiralty was held in the hall called the Marshalsea Court, and I should suppose that that hall was in a peculiar degree appropriated to holding the court of Admiralty; as I think I remember to have seen in that old hall the ensigns of the court of Admiralty over the bench. This hall was part of the Marshalsea premises in the Borough, which having become quite ruinous, have been abandoned, and a new prison erected not far from the old site in the Borough, and a new court in Scotland Yard; it appears that the court of Admiralty thus sitting in the Marshalsea court, made use for its purposes of the Marshalsea prison; and that circumstance would naturally give rise to the practice of employing that prison for the confinement of naval offenders, both previous and subsequent to trials by naval courts martial; and rather, because the marshal of the Admiralty, who had long been accustomed to confine his prisoners in the Marshalsea, was some time in point of fact, though erroneously I conceive in point of law, charged with the execution of sentences of naval courts martial. But perhaps the most operative motive towards the present practice, was a doubt which had existed, whether there is any other prison in which culprits would be received with no other warrant than a sentence of a naval court martial. In more particular answer to the question, I beg to state, that the only use which is made of the Marshalsea prison by the naval department is the confinement of such offenders as may be sentenced to that punishment by naval courts martial; and this is a matter in which the Admiralty, either as a court or as a board, had so little concern, that on account of some particular inconveniences it was thought expedient to remove an Admiralty prisoner, it was found that there was no power by which it could be done; and that the sentence of the naval court martial, which is not subject to any species of revision, is final and conclusive with respect to the place in which it shall be executed. This inconvenience the Board of Admiralty felt to be so strong, that I in the last session of Parliament brought in a bill, which was passed into a law, to enable His Majesty to transfer prisoners in confinement under sentence of naval courts martial from one prison to another, and in fact since that law has passed several persons, sentenced agreeably to the old practice, to confinement in the Marshalsea, have been transferred to county gaols or houses of correction, in which it was thought they could be more properly disposed; so that the use made by the naval department, as a permanent place of confinement, is likely to be very small, though, as the law stands at present, I apprehend that courts martial will still continue to sentence persons to be there confined, though His Majesty will afterwards use his pleasure as to transferring them to what may be considered a more proper place.

134. What accommodation is there in the Marshalsea prison for Admiralty prisoners?—A short time after I first came into my present office, I had heard that the Marshalsea prison was in a very shocking state; and as there were several naval prisoners there, I thought it my duty to request Mr. Bicknell, the solicitor of the Admiralty, through whose hands those prisoners were subsisted, to accompany me to that prison; where we found that the accounts which I had received were by no means exaggerated. And though it did not appear to me any part of my official duty to enquire into abuses of this nature, I could not help pressing upon Mr. Perceval, then first Lord, and Mr. Wharton, Secretary of the Treasury, the necessity of providing a more proper place of confinement. I believe the present new prison of the Marshalsea was then in contemplation; and, as well as I recollect, my interference with those gentlemen was directed towards accelerating its execution, and towards procuring fitter accommodation than was originally designed for the naval prisoners, and particularly for those sentenced to solitary confinement. I believe that directions to this effect were given, but the local circumstances of the site of the new prison prevented the arrangement being made to the desirable extent; and it was on account of the consequent want of accommodation that it became necessary to propose the act of parliament I have just mentioned.

135. What is the nature of the authority of the Admiralty over the prison?—I beg to distinguish; the lord high admiral in his court of Admiralty, acting by his lieutenant or judge, and by the marshal of the Admiralty, have exercised the power, as I have stated, of committal to that prison; what further authority may be inferred from a power of committal, I do not venture to say. The board of Admiralty has, I conceive, in the ordinary exercise of its functions, no power or authority whatsoever in regard to this prison; they have neither the power of committal, nor the right or duty of visiting; and the visits which I have

J. W. Croker, Esq.

stated that I have made, were made as a private gentleman, with the knowledge, of course, of those with whom I was acting, but without any official authority from that board.

Do the board of Admiralty exercise any power of making regulations respecting their prisoners confined in this prison?—Not that I have ever heard of, except so far as allowing medicine, clothing and subsistence to prisoners, who by petitions may represent themselves as being in want thereof; but the distribution of this assistance is made, I apprehend, subject to the internal regulations, over which the Board of Admiralty have no controul.

As I did not expect to be called upon to give this evidence upon oath, and as I have not been able to find any official documents or records upon this subject, I must beg leave to request the Commissioners to receive my testimony rather as the general result of my private information and opinions, than as entitled to any weight from my official character; if I had been more fully aware of the nature of the examination intended, I should have endeavoured to obtain more precise information.

C. Bicknell, Esq.

25th March 1817.]—*Charles Bicknell*, esquire, Solicitor to the Admiralty, was sworn and examined.

136. HAVE you been present during the whole of the evidence given by Mr. Croker, and do you concur therein with that gentleman?—Yes, I do.

As you pay the allowances given to the Admiralty prisoners, state the detail?—The Admiralty prisoners are in the habit of petitioning the lords of the Admiralty for subsistence, medical assistance and clothing, when they require it; those petitions are referred to me by the lords of the Admiralty to do what is necessary upon them, that is, to make the allowance required; which allowance I pay, by depositing money in the hands of the deputy marshal of the prison, who brings me the receipt for what he pays, which is one shilling a day to each prisoner, without distinction; they are furnished with clothing and medicine.

Mr. James Farquhar.

25th March 1817.]—Mr. *James Farquhar*, Deputy Register of the High Court of Admiralty, was sworn and examined.

137. TO what prison does the High Court of Admiralty commit, when it directs an imprisonment?—To the Marshalsea, the ancient and accustomed prison of that court; I know of no other place of confinement belonging to that court.

Has the Court of Admiralty exercised any power of making regulations for its prisoners confined in that prison?—None that I ever heard of.

Mr. John Deacon.

25th March 1817.]—*Mr. John Deacon*, Deputy Marshal of the High Court of Admiralty, was sworn and examined.

HAVE you been present at the examination of Mr. Farquhar; and do you concur in the answers given by him to the questions put to him?—I have been present, and do concur in the answers given by him.

Do you convey the prisoners to the Marshalsea Prison; and are they received without objection on the part of the keeper?—In all the instances that have occurred since I have been in office, the persons committed have been received by the keeper without hesitation.

Returns relating to The Fleet Prison.

RETURNS delivered, upon oath, relating to the FLEET PRISON.

IN obedience to an Order of the Commissioners, under the great seal, for enquiring into the state of certain of His Majesty's gaols, and making regulations therein; I beg leave to make the following return.

Nicholas Nixon,
Deputy warden and clerk of the papers, Fleet Prison.

138. 5th March 1816.]—The ESTABLISHMENT of the Fleet Prison, consists of,—

John Eyles, esquire, warden.
Mr. Nicholas Nixon, deputy warden, clerk of the papers, and principal turnkey.
William Woodroffe, his clerk, and clerk of the enquiries.
Thomas Allen, tipstaff to the Court of Chancery.
Robert Clark, William White, } Tipstaffs to the Court of Common Pleas.
John Davis, tipstaff to the Court of Exchequer.
The Reverend Richard Edwards, chaplain.
Mr. Thomas Williams, clerk.

Joseph

Returns relating to The Fleet Prison.

Joseph Wilkes, John Bates, James Phipps, } Turnkeys.
Joseph Foulkes, scavenger, cryer, and watchman.

139. There are now confined within the walls, two hundred and fifty-three prisoners, and in the rules, sixty-two, making a total of three hundred and fifteen prisoners; of which there are, for contempts of court, twenty-three, and at the suit of the crown, twelve.

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140. There are no fees payable to the under turnkey, and very trifling to the principal; an account of which, as also the fees of the clerk of the papers, are contained in the list of fees following, viz.

	£.	s.	d.
There is payable to the warden, on the commitment of every prisoner, who by his own desire shall go on the master's-side of the prison, a fee of - -	1	6	8
And from every prisoner who shall go on the common-side, not being entitled to partake of the poor's-box, for a commitment fee - - - - - -	0	13	4
There is also due to the warden, on the discharge of every prisoner - -	0	7	4
There is also due and payable to the warden, on every chamber on the master's-side, without reference to the number of persons by which it may be occupied, a weekly rent of - - - - - - - - - - - - - -	0	1	3
There is also due to the turnkey, on the commitment of every prisoner not entitled to partake of the poor's-box, a fee of - - - - - - - - -	0	2	0
There is due to the clerk of the papers, for every discharge of every action, a fee of - - - - - - - - - - - - - - -	0	2	6
There is also due to the clerk of the papers, for the copy of every cause not exceeding three - - - - - - - - - - - - -	0	1	0
And for each and every cause exceeding the three first causes, besides the shilling a piece for each of the said first three causes - - - - - -	0	0	4
These certificates being considered useless, the fees for them are never taken. — There is also due to the clerk of the papers, for his certificate of the prisoner's discharge, delivered to the prisoner himself, without any reference to the number of actions with which he stood charged - - - - - - - - - - -	0	2	6
And for his certificate to the warden of such discharge - -	0	2	6
There is also due to the clerk of the papers, for the allowance of every writ of habeas corpus, a fee of - - - - - - - - - - - - -	0	5	4
And for the return of the first cause - - - - - - - - - -	0	4	0
And for every other cause - - - - - - - - - - - -	0	2	0

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141. The Donations and Charities applicable to the relief of poor Prisoners, are as follows, viz.

		£.	s.	d.
Hilary Term - -	Last seal day Court of Chancery - - - - - -	5	5	0
	From the Common Pleas, day after Term - - -	3	0	0
	From the Exchequer, ditto - - - - - - -	0	6	8
Easter Term - -	From the Court of Common Pleas - - - - - -	3	0	0
	From the Exchequer - - - - - - - -	0	6	8
Trinity Term - -	From the Court of Chancery - - - - - - -	5	5	0
	From the Common Pleas - - - - - - -	3	0	0
	From the Exchequer - - - - - - - -	0	6	8
Michaelmas Term	From the Court of Chancery - - - - - - -	5	5	0
	From the Common Pleas - - - - - - -	3	0	0
	From the Exchequer - - - - - - - -	0	6	8
Lady Day - -	From the Leather-sellers Company - - - - -	0	4	0
	Ditto - - - - - - in bread - - -	0	2	6
	From the Sadlers Company - - - - - - -	0	2	6
Midsummer - -	From the Leather-sellers Company - - - - -	0	4	0
	Ditto - - - - - - in bread - - -	0	2	6
	From the Sadlers Company - - - - -	0	2	6
Michaelmas - -	From the Leather-sellers Company - - - - -	0	4	0
	Ditto - - - - - - in bread - - -	0	2	6
	From the Sadlers Company - - - - -	0	2	6
	From the Leather-sellers Company - - - - -	0	6	0
	Ditto - - - - - - in bread - - -	0	2	6
Christmas - -	From St. Bartholomew's Hospital - - - - -	1	13	0
	From the parish of St. Ethelberg - - - -	0	9	0
	From the Sadlers Company - - - - - -	0	2	6

Christmas

Returns relating to The Fleet Prison.

		£.	s.	d.
Christmas	From the Drapers Company	1	10	0
	From the Merchant Taylors Company	1	10	0
	From the Archbishop of Canterbury	1	0	0
	From the Warden	1	1	0
Thomas Strickley, every three years, commencing on Easter Monday one thousand eight hundred and two		2	0	0
Mrs. Fisher, of Gray's Inn Lane, Executrix of Mrs. Misson, due at Lady Day and Michaelmas		6	0	0
A person, unknown, every Easter Monday, from the Grange Inn, Carey-street		2	0	0
Besides the above donations, the poor prisoners solicit daily at the begging-grate the charity of passing individuals, the amount of which collections cannot be exactly ascertained, but it is estimated at per annum, about		130	0	0

There is also a further sum of five hundred pounds per annum provided by an act of parliament, commonly called Mr. Henry Thornton's Act, but which sum is applicable to the relief of poor prisoners generally, and is not confined to them on the begging-grate.

There are now residing within the walls of the Fleet prison thirty-nine women and fifty-four children, being the wives and children of the prisoners therein. 142.

A printed copy of the rules and orders for the government of the prison is hereunto annexed. 143.

The annual amount of Fees received by the Warden, on an average of the last three years, is as follows, viz. 144.

	£.	s.	d.
Commitment fees, about	107	17	8
Discharge fees	213	9	—
Chamber rent	342	19	8
For the rules	961	8	11
For day-rules	138	14	—
Besides which, he has an allowance from government, granted as a compensation in lieu of the rents of certain houses in Fleet market, pulled down to enlarge the prison yard, of per annum	200	—	—
Also, an annual fee from the sheriffs of London and Middlesex, of	18	4	4
He also receives a profit on the porter and ale drawn in the prison, which amounts annually to about	326	—	—
Making a total average income of about	£. 3,008	13	7

	£.	s.	d.
Out of which he has frequently sustained losses by escapes, and law charges thereon, and which, during the time the present warden has been in office, have amounted, on an average, to, per annum, about	300	—	—
He also pays annually, on the prison and dwelling-house taxes, to the amount of about	368	11	—
Also to the chaplain, chapel clerk, &c. about	40	—	—
Also for servants' wages	313	—	—
Also to the scavenger, watchmen, &c. about	43	18	—
Also for lamps, candles, coals, &c. about	60	—	—
Total Amount of deductions	£. 1,125	9	—
Leaving a net annual Income of about	£. 1,882	4	7

The annual amount of Fees received by the Clerk of the Papers, on an average of the last three years, are as follows, viz. 145.

	£.	s.	d.
Discharge fees, about	102	19	2
For copies of causes, about	80	17	6
For returns to writs	349	11	8
For day-rules	257	9	8
Total Amount	£. 790	18	2

The annual amount of Fees as chief turnkey is also, on an average, £.61.

N. B. He supplies the office with stationary, and pays for any occasional assistance therein.

Returns relating to The Fleet Prison.

RULES AND ORDERS.

Hilary Term, 3 Geo. II. 1729.

146. IT is Ordered, That all and singular the orders and rules hereunder wrote and established, pursuant to an act of parliament made and published in the second year of the reign of our said Lord the King, intituled, "An Act for the relief of Debtors, with respect to the "imprisonment of their persons," be well strictly and truly observed and kept, as well by the Warden of the Prison of our Lord the King of the Fleet, and all his Officers and Servants, as by all Prisoners who now are or at any time hereafter shall be committed to the custody of the said Warden.

And it is further Ordered, That this rule, with all and every the rules or orders aforesaid, shall be fixed up in the hall of the said prison, for the use, benefit and inspection of the prisoners detained in the aforesaid prison.

By the Court.

CONSTITUTIONS and ORDERS, renewed and established, touching the government of the Fleet Prison, by Sir Robert Catlyn, knight, Chief Justice of the King's Bench; Sir William Cordell, knight, Master of the Rolls; Sir James Dyer, knight, Chief Justice of the Common Pleas; Sir Edward Saunders, knight, Chief Baron of the Exchequer, and others, by virtue of a Commission under the Great Seal of England, bearing date the third day of June, in the third year of the reign of Queen Elizabeth, and afterwards reviewed and exemplified under the Great Seal the first day of February, in the thirty-seventh year of the same reign, and again declared and established as Rules and Orders by which the said Prison of the Fleet should be governed, by Letters Patent granted to Sir Jeremy Whichcot, of the office of Warden of the Fleet, in the nineteenth year of the reign of King Charles the Second.

1. THAT it may be lawful to the said warden or his deputy to appoint so many of the household servants as to either of them shall seem good, to open and shut the two outer gates of the Fleet at such hours as the gates of Ludgate and Newgate are accustomed to be opened and shut; and the said persons to carry in their hands balberts, bills, or any other weapon, as shall seem good unto the said warden or deputy within his precinct or liberty.

2. That it is and shall be lawful to the said warden and his deputy to take order from time to time that no person coming there do carry any weapon further than the porter's lodge there, be he a stranger or other, unless they be licensed so to do by the discretion of such as the same warden shall appoint to keep the gate there.

3. That it may be lawful for the said warden or his deputy, and so many of his household as shall be thought needful, to keep watch, in harness or otherwise, within his precinct, at all times as he shall see cause for his better safeguard, if he shall suspect any prisoner within his custody to intend to make an escape.

4. That it may be lawful for the said warden to take order at all times for such money as shall be gathered at the box, or otherwise generously given to poor men there, for the distribution thereof amongst them, if any contention shall arise; and that the said poor men shall always keep one key of the said box, and another key to be at the warden's appointment.

ORDERS made by the the Right honourable Sir Edward Herbert, knight, Lord Chief Justice of His Majesty's Courtof Common Pleas at Westminster, and the rest of the Justices of the said Court, Friday, the seventeenth day of February, Anno Domini one thousand six hundred and eighty-seven, concerning His Majesty's Prison of the Fleet.

5. If the prisoners on the master's side refuse or be not able to pay their chamber rent, then and in such case, the warden has liberty to turn them out of his or her chamber into the wards; but no prisoner whatsoever to be confined under the pretence of nonpayment of chamber rent, but all of them to have liberty of walking in the fore-yard, hall and cellar of the house in the day time without interruption; the ward gates in the day time to stand constantly open, and to be opened, viz. at five o'clock in the morning in the summer, and seven in the winter.

And the said justices do further order, that the warden shall be at liberty to shut the ward gates at nine of the clock at night in the winter time, and at ten in the summer, if he so think fit; provided he keep a watchman constantly to attend there, to let out and in such persons as shall have occasion to go to the necessary house, they returning as soon as he or she has done there.

6. That the warden shall not for the future detain or embezzle any prisoner's goods; but that the said warden has liberty to detain the person of such prisoner or prisoners after they are discharged by their creditors, until all lawful fees and dues shall be fully paid and satisfied.

7. That the warden shall, with all convenient speed, make and provide a confined room or dungeon in the wards, as it was before the great fire of London, for the confinement of persons endeavouring to make their escapes, or guilty of any other great misdemeanor, that the general quietness and liberty of the rest of their fellow prisoners may not be restrained or suffer thereby.

And the persons whose names are hereunto subscribed, having reviewed and considered the said rules and orders, and being informed that a confined room was provided according to the said last-mentioned order, and that the same is boarded, wholesome and dry, do order and declare that the rules and orders before mentioned shall continue to be rules and orders for the better government of the Fleet prison, and be observed accordingly.

AND whereas some farther Resolutions are proper and necessary to be made for the better government of the said Prison, the persons whose names are hereunder subscribed do further order,—

8. That the warden of the Fleet do keep the chapel of the Fleet in good repair, and take care that divine service be performed, and the sacrament of the Lord's Supper administered therein, at the usual and proper times, according to the rites and ceremonies of the Church of England; and all prisoners are required to attend at the times aforesaid, and not to absent themselves from the said chapel without reasonable cause.

9. And it is hereby further ordered, That no chaplain of the Fleet, or any clergyman, being a prisoner within the walls or rules of the Fleet, do presume to marry any person, without a licence within the prison or rules of the Fleet; and that the warden and his officers do use their utmost diligence to prevent all such marriages.

10. That the warden do cause the stocks to be kept up in the said prison, (as has been anciently practised,) for the punishment of such prisoners as shall blaspheme the name of God, be guilty of profane cursing and swearing, or shall behave themselves in a disorderly manner.

11. That no prisoner do take possession of any chamber within the prison, but with the consent of the warden or his deputy, or pull down any partition, or make any other material alteration there, without the consent of the warden or his deputy; but that the disposal and appointment of the chambers or rooms within the said prison be in the warden or his deputy only, yet so as neither of them do turn any prisoner out of possession who shall be rightfully possessed of a chamber, without reasonable cause; and that every prisoner, on his or her discharge, do deliver over to the warden, his deputy or chamberlain, the key of his chamber, and all the warden's furniture therein.

12. That the warden, or his deputy, may turn any prisoner out of his chamber to the common side, that shall refuse or neglect to pay his or her chamber rent for the space of three months; and that the warden or his deputy shall in such case cause an inventory to be made of the prisoner's goods and effects (if any) signed by two witnesses, and shall immediately deliver such goods and effects to such prisoner, but the warden may still detain the person of such prisoner, though discharged by the plaintiff, or in any other manner, until his arrears of his chamber rent shall be fully satisfied and paid.

13. That no prisoner or other person shall keep any public room within the said prison for selling any victuals, wine, brandy, punch, beer, ale, or other liquor, without leave from the warden or his deputy, and if any prisoner or prisoners shall offend in the premises, it shall be lawful for the warden or his deputy to turn him her or them out of their room or rooms, to the common side; and the warden and his deputy are hereby required to take care that good order be kept in such public room or rooms as shall be allowed by either of them to be used as aforesaid.

14. That the warden do take effectual care that every prisoner committed to his custody, be conveyed to the prison of the Fleet, without being carried to any public, victualling or drinking house, or the private house of any tipstaff, officer or minister of the Fleet, or of any tenant or relation of his, without the free and voluntary consent of the person or persons so in custody; and that no garnish or money shall be extorted by any prisoner or prisoners from any person committed, for his coming into the said prison.

15. That the warden do cause a table of the gifts and bequests made for the benefit of the prisoners of the Fleet, expressing the particular purposes for which the same are given, to be fairly writ in a plain and legible hand, to be hung up in the hall of the said prison; and that the warden take care that no prisoner or prisoners be deprived or defrauded of his her or their shares, dues or dividends of the charities so given; and that no cellarman, turnkey

Returns relating to The Fleet Prison.

turnkey or other officer or servant of the warden shall have any share or part in any charity given to the prisoners, or bear any office in the said prison which may entitle him to any power in, receipt or disposition of such charity.

16. That every prisoner who shall make oath before one of the judges of the court from whence the process issued upon which he or she shall be taken or charged, or before a commissioner empowered by such court, that he or she is not worth five pounds, and cannot subsist without the charities belonging to the prisoners of the Fleet, shall immediately be admitted to all shares, dividends and profits arising from such charities.

17. That two rooms, marked 9 and 10, up the chapel stairs, shall be kept as an infirmary for the use of the prisoners on the common side, who shall fall sick of such diseases as shall require their being removed, to prevent infection, or for necessary care and relief; and that no prisoner shall be obliged to lie in the same bed with a diseased person.

18. That the warden shall keep the prison-house and windows in good and necessary repair, and keep the drains, bog-houses and dunghill as clean and free from stench and noisomeness as possible.

19. That when any prisoner dies within the said prison, the said warden shall forthwith give notice of such death to the coroner, that the said coroner may enquire, according to law, how such prisoner came by his death, and that the said warden shall detain the body no longer than till the coroner's inquest have made their inquisition, which shall be done with all convenient speed; and that immediately afterwards the dead body shall be delivered to the prisoner's friends or relations, if they desire it, without fee or reward.

20. That the warden do not sue, or procure to be sued out, any writ of habeas corpus to remove any prisoner from the prison of the Fleet to the prison of the King's Bench.

21. That the warden shall keep a book, in which all commitments shall be fairly entered in the words of such commitment, within fourteen days after any prisoner shall be committed.

22. That the warden shall keep another book, containing the names of every prisoner actually brought into the Fleet, and taken into the house, with the name of the party at whose suit he shall be committed, and the time when the prisoner was brought to the Fleet, and received into the prison, specifying withal the court or judge by whose authority he shall be committed.

23. That every tipstaff to whom any prisoner shall be delivered in custody at a judge's chamber, shall keep a book, containing the name of such prisoner, the time when he was taken into custody, to be signed by such judge's clerk; and such judge's clerk shall keep another book, in which the like entry shall be made, signed by the tipstaff.

24. That the warden shall keep a book, in which memorandums shall be entered of all declarations, delivered to the turnkey or porter against any prisoner in the Fleet Prison, containing the names of the parties, the cause of action, and the time when such declaration shall be delivered.

25. That the warden shall keep a book, in which all discharges of prisoners shall be fairly entered; which entry shall specify how such discharge was made, whether by the plaintiff, by supersedeas or otherwise, and such entry shall be made within five days after every discharge.

26. That the warden shall keep a book, in which every writ of habeas corpus upon which the prisoner shall be committed or the custody altered, with the return of every such writ of habeas corpus, shall be fairly entered.

27. That all the books before mentioned, except the tipstaff's book, shall be kept in the public office of the clerk of the papers of the Fleet; and that all persons shall have liberty to resort to them, and to take copies as there shall be occasion.

28. That no clerk, officer or servant whatsoever belonging to any judge of this court, shall directly or indirectly demand, receive or take any gratuity, fee or reward, for or by reason of any petition, complaint or application that shall be made by any prisoner or prisoners of the said prison, pursuant to or founded upon any of the rules and orders hereinbefore mentioned, or concerning any misgovernment in the Fleet.

29. Lastly, That the said warden and his officers do treat the several prisoners in his custody with all tenderness and humanity, and that such prisoners do behave themselves towards the warden with that submission and regard which the law requires.

R. Eyre,
Robt. Price,
Alex. Denton,
J. Fortescue.

Returns relating to The Fleet Prison.

IN Obedience to an Order of the Commissioners under the Great Seal, for enquiring into the state of certain of His Majesty's gaols and making regulations therein, I beg leave to present the following copy of certain Rules or Orders, for the better government of the Fleet Prison, made by His Majesty's Court of Common Pleas, at Westminster, in Easter and Trinity terms, 13th George the First. I beg leave at the same time, humbly to state, that the same, together with the printed copy presented by me, on the fifth instant, contain all the rules and orders for the government of the said prison, in my possession, custody or power; but I apprehend if there are now in existence any other or ancient rules or orders for the government of the said prison, they will be found in the office of the prothonotaries of the said court.

Nicholas Nixon,
Deputy Warden and Clerk of the Papers.

Fleet Prison, 9th March 1816.

Easter, 13th George 1st, and Trinity, 13th George 1st, 1727. 147.

WHEREAS several matters in controversy between the prisoners and the warden of the Fleet, were heard by the Right honourable Sir Robert Eyre, knight, Lord Chief Justice of His Majesty's Court of Common Pleas at Westminster; the Honourable Robert Price, esquire; Sir Francis Page, knight; and Alexander Denton, esquire, Justices of the said Court, at Serjeant's-Inn Hall in Chancery-lane, on Monday the twenty-fourth day of April, on Wednesday the twenty-sixth day of the same month of April, on Monday the first day of May following, and on Friday the fifth day of the same month of May, in Easter Term, in the thirteenth year of the reign of our Sovereign Lord King George, Anno Domini one thousand seven hundred and twenty-one; upon which hearing the said Lord Chief Justice and the rest of the Justices of the said court came to the following Resolutions:

1st. That there is due, and ought to be paid to the warden of the Fleet, for every commitment fee (exclusive of commons) from all persons of the degree of an esquire, gentleman or gentlewoman, or any other person under those degrees who shall enter on the master's side of the said prison, two pounds four shillings and four-pence:
And that there ought to be paid to the warden, by every such person, for the use of the minister of the said prison, two shillings.

2d. That there is due, and ought to be paid to the warden, for a commitment-fee, from every prisoner on the wards or common side, not taking part of the poor's box, one pound six shillings and eight-pence:
And that every such person ought to pay to the warden for the use of the minister of the said prison, one shilling:
And that every prisoner taking part of the poor's box, ought to pay to the warden seven shillings and four-pence, and no more, for his commitment fee, and nothing to the minister.

3d. That there is due, and ought to be paid to the warden of the Fleet, for every render in each cause, two pounds four shillings and four-pence, and nothing to the minister.

4th. That there is due, and ought to be paid to the chamberlain, as his fee for every prisoner's entrance into the house, one shilling, and no more.

5th. That there is due, and ought to be paid to the warden for every prisoner's discharge, either by creditor or supersedeas, as a fee for his dismission out of prison, without any regard to the number of causes wherewith he stands charged, seven shillings and sixpence, and no more.

6th. That there is due, and ought to be paid to the clerk of the papers, for every discharge of every action, two shillings and sixpence:
And for the copy of every cause not exceeding three, one shilling:
And for each and every cause exceeding three causes, four-pence, besides one shilling a piece for each of the said first three causes.

7th. That there is due, and ought to be paid to the clerk of the papers, for his certificate of the prisoner's discharge, delivered to the prisoner himself, without any regard to the number of causes he stood charged with, two shillings and sixpence:
And for his certificate to the warden of such discharge, two shillings and sixpence.

8th. That there is due, and ought to be paid to the clerk of the inquiries, on the discharge of a prisoner by the creditor, and not by supersedeas, two shillings and sixpence.

Returns relating to The Fleet Prison.

9th. That there is due, and ought to be paid to the turnkey, (who is now both porter and gaoler) for the prisoner's entrance into the house, two shillings:

And for such prisoner's discharge, to the turnkey, being both porter and gaoler, two shillings and sixpence.

10th. That there is due, and ought to be paid to the turnkey, for every declaration delivered to him for a prisoner, one shilling.

11th. That there is no fee due to the warden, upon his accepting security on the prisoner's having the benefit of day-rules.

12th. That there is no fee due to the warden for lodging or chamber rent, where the prisoner has not actual possession of the chamber; but there is due to the warden, for every prisoner or prisoners, his or their lodging or chamber rent, two shillings and sixpence per week, such lodging or chamber being furnished.

13th. That there is due to the minister that officiates and performs divine service within the said prison for the time being, from every prisoner within the walls of the prison, or without the walls and within the rules, four-pence per week, to be paid to the warden, for the use of such minister:

And that no such minister, or any other clergyman, being a prisoner within the walls or rules of the Fleet, do presume to marry any persons without licence, within the prison or rules of the Fleet; and that the warden and his officers do use their utmost care and vigilance to prevent all such marriages.

14th. That there is no fresh commitment fee due to the warden upon the prisoner's bringing himself back to the Fleet by habeas corpus, where the warden himself had removed him thence by habeas corpus:

And that there is no fee, gratuity or reward due to the warden for his returning an habeas corpus:

But that there is a fee of five shillings and four-pence due to the clerk of the papers, for the allowance of every writ of habeas corpus, and four shillings for the return of the first cause, and two shillings for every other cause, and no more.

15th.—That where a prisoner dies in the Fleet, the warden shall detain the body no longer than till the coroner's inquest be finished, which shall be done with all reasonable speed; and immediately afterwards, the body shall be delivered to the prisoner's friends or relations, if they desire it, without fee or reward.

16th.—That it is the duty of the warden, and belongs to him, to keep the prison-house and windows in necessary and good repair; and to keep the bog-houses and dunghill as clean and free from stench and noisomeness as possible.

17th.—That a table of all gifts and bequests made for the benefit of the prisoners in the Fleet, expressing the particular purposes for which the same were given, be prepared by the warden, and hung up in the of the said prison.

18th.—That the ward gates be opened at five of the clock in the summer, and seven of the clock in the winter, and do stand constantly open in the day-time, according to the orders made the seventeenth of February one thousand six hundred and eighty-seven.

And whereas this Court, upon further consideration of the premises, this present Trinity Term, in the thirteenth year of the reign of our Sovereign Lord King George, is of opinion that the said Resolutions are just;—

It is hereby ordered, That the same be observed by the said warden and prisoners, and all other persons therein concerned.

R. EYRE,
R. PRICE,
F. PAGE,
ALEX. DENTON.

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148. Sundry ORDERS for regulating Chummages, &c. in the Fleet Prison,—1793.

COPY of an Order to regulate the distribution of Rooms and Chummages.

Fleet Prison, 10th January 1793.

THE warden having heard complaints, that the distribution of rooms and management respecting the chummage, in this prison, have been frequently irregular, thinks it expedient to make the following Regulations, which are to commence and take place on the first day of Hilary Term next; viz.

 That

That every prisoner, on paying the commitment fee, shall (if there be no rooms empty) within twenty-four hours after, be chummed on the first room in rotation (beginning at No. 1. in the hall gallery) without fee, gratuity, or reward; and if such prisoner refuses to accept such chummage within that time, he shall not be entitled to any other chummage in the prison, until every prisoner, at the time junior to such prisoner so refusing, shall have been chummed.

No prisoner shall carry on any trade or calling in such room without the consent and approbation of his chum, as well as of the warden.

All the rooms on the master's side shall receive chums in rotation (except the rooms in lower floor called Bartholomew Fair, and those called the Slip Rooms;) but no room whatsoever shall receive a second chum until every room, except the said rooms in Bartholomew Fair and the Slip Rooms, and every room (except as before excepted) shall continue in the same progressive manner to receive any and every additional chum.

Every prisoner shall in like rotation succeed to a room, and if any prisoner refuses such room as shall fall to his or her turn by rotation, he or she shall not be permitted to hold any room, but lose his or her seniority, and from that time become a junior prisoner.

Any prisoner, after having duly succeeded to a room, being desirous to exchange it for another, if there are more than one vacant, shall be allowed to exchange once only for the room that has been vacant the longest time, but if he or she refuses to accept such room, he or she shall not be permitted to claim any other; and if there happens to be more than one prisoner desirous (and having the right) to exchange, the eldest prisoner shall have the prior right; but no prisoner can be admitted to claim who has not paid all arrears due on account of any former room which he or she has possessed.

If any prisoner shall receive any fee, gratuity or reward, or the promise of any fee, gratuity or reward, for resigning his claim in favour of any other prisoner, such prisoner so resigning, shall lose his room and be considered disqualified for possessing another.

The succession to the Slip Rooms shall be subject to the same rotation and regulations as other rooms on the master's side, except that they shall not receive a chum.

Women, being prisoners, must be chummed on such rooms in the possession of women prisoners as are nearest in rotation, notwithstanding the interruption of the general rotation, or of any right or claim to the contrary.

COPY of an Order for regulating the Price to be received by Prisoners choosing to be paid out of their respective chummages, or letting their rooms to hire. 149.

Fleet Prison, 16th Dec. 1796.

THE Warden having heard various complaints respecting the unreasonable demands made by prisoners for chamber rent and chummage, and the mischievous consequences arising therefrom, as also from the hiring of rooms to let again, has thought proper to order that from and after Saturday the 24th day of December instant, no person shall demand or receive for the use of any chamber which he or she may let unfurnished to a fellow prisoner, any greater rent than eight shillings and three-pence per week.

Also, that every or any prisoner choosing to let his or her room furnished, shall not take or demand a larger sum than fifteen shillings and three-pence per week for such furnished room.

And further, that no prisoner shall possess or hold, either in his or her own name, or in that of any other person, more than one chamber.

That any person proved to the satisfaction of the warden or his deputy to have the possession of, or the profits arising from the letting out to hire any other room than the one that has fallen to him or her by regular rotation or allowed claim, after the said day, shall be deprived of his or her room or chummage.

And that any person subject by rotation to receive a chum in the room such prisoner is in possession of, and being desirous of enjoying the sole and entire possession of the same, shall not give, pay or offer a greater sum than four shillings per week for such forbearance to enter into the joint possession of such room.

And in like manner, no chum of such room shall receive or demand any larger sum than four shillings per week for such forbearance to enter into the joint possession of the said room.

And any person receiving any larger sum, either directly or indirectly, than mentioned in this order, shall in like manner be deprived of his or her room or chummage.

COPY of a Rule of Court to determine how long Prisoners being supersedeable may retain their rooms. 150.

Hilary Term, in the 27th year of the reign of King George the Third.

In the Common Pleas.

IT is Ordered, That no prisoner in the custody of the warden of the Fleet shall be allowed to continue in the possession of any room, which he or she had become entitled to by reason of

Returns relating to The Fleet Prison.

of seniority, after he or she shall have been supersedeable for the space of one month; but that the warden shall, after the expiration of such time, cause such supersedeable prisoner to quit possession of such room.

And it is further ordered, That no prisoner shall be entitled to any room in the said prison by seniority, except from the time of his or her being charged in the action in which he or she is not supersedeable.

And it is further ordered, That the rule made in Hilary Term in the twentieth year of the reign of His present Majesty for regulating the time that prisoners shall be allowed to continue in the possession of any room in the said prison, after supersedeable, shall be and the same is hereby discharged.

By the Court.

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151. COPY of a Rule of Court to exclude persons in contempt from the Begging-grate.

Hilary Term, in the 36th year of the reign of King George the Third.

In the Common Pleas.

In the matter of the Fleet Prison, Friday the 20th of November.

UPON reading a petition bearing date this day, and presented to the Right honourable Sir James Eyre, knight, Lord Chief Justice, and the rest of the Judges of this Court, signed by Cornelius Rose, A. Castle, J. Hayes, John Tyler, Richard Drabble, William Mann and Alexander Badden, debtors on the common side of the said prison, entitled to the charitable donations thereof: it is ordered, that from and after this day, all and every prisoner or prisoners who shall be charged with writs of attachment of contempt issuing out of courts of equity (except for non-payment of money only) shall not be entitled to or admitted to any shares, dividends or profits arising from any charities belonging to the begging-grate of the said prison.

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152. COPY of an Order for the better regulation of the Coffee-room.

Fleet Prison, 22d August 1809.

Mr. Nixon having heard various complaints of the prisoners, respecting abuses and impositions heretofore practised in this room, has thought proper to order, that in future all ale and porter drank in this room be brought direct from the cellar-head, and not from the bar, and that the same be paid for as under; viz.

Ale - - eight-pence
Porter - five-pence } per pot, and smaller quantities in proportion.

That no person or servant belonging to this room shall be permitted to cook or cause to be cooked, any meat or vegetables at the public fires.

That no victualling be permitted in the small room adjoining the bar, but that the same be appropriated to the use of the prisoners having private business to transact; and that any prisoner may remain therein for the space of one hour, but no longer, if requested to leave it by another prisoner.

That this be cleared of company, and shut up every night by twelve o'clock at farthest.

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153. COPY of an Order for the better regulation of the Tap-room.

Fleet Prison, 22d August 1809.

Mr. Nixon having heard various complaints of the prisoners, respecting abuses and impositions heretofore practised in this room, has thought proper to order, that in future, all ale and porter drank in this room, be brought direct from the cellar-head and not from the bar, and that the same be paid for as under; viz.

Ale - - - eight-pence
Porter - five-pence } per pot, and smaller quantities in proportion.

That no part of this room be considered as private property, nor any cooking allowed at the public fire.

That this room be cleared of company, and shut up every night by twelve o'clock at farthest.

COPY

COPY of an Order for the better regulation of the public Kitchen. 154.

Fleet Prison, 22d August 1809.

Mr. Nixon having heard various complaints of the prisoners respecting abuses and impositions heretofore practised in this kitchen, has thought proper to order, That in future a fire be kept herein for the use of the prisoners until two o'clock in the afternoon daily, for the purpose of dressing their victuals gratis. But that after the hour of two o'clock aforesaid, the cook shall be allowed to make the following charges, and no more, for dressing meat and vegetables; viz.

For every dinner consisting of meat, pudding, or pie, separately - - two-pence.
For vegetables - - - - - - - - - - - - - - - - - - one penny.

But when fish or other things are dressed, requiring butter or dripping to be found by the cook, then such things to be paid for accordingly.

And further, that the cook do keep the boiler constantly supplied with boiling water, from the hour of eight until ten in the morning, and from four o'clock until six in the evening, for the purpose of supplying the prisoners gratis with boiling water for their breakfasts and teas, not exceeding two quarts to each person for each meal.

COPY of an Order for the prevention of Nuisances. 155.

Fleet Prison, 28th July 1807.

IN consequence of various complaints having been made to the warden, of dirt and filth being thrown about the prison house and yard, he has thought it necessary to give this public Notice: That any person who shall hereafter sweep or throw any dirt, ashes, filth or rubbish in any of the galleries, or on the stairs of this prison, or who shall cast any filth in any part of the yard, or at any of the drains therein, except at the place appointed for the reception of such filth at the south end of the building, or who shall carry any water, either dirty or clean, up or down the front stairs, shall, if a prisoner, be deprived of his or her room or chummage, and if a stranger, shall be locked out.

COPY of the Warden of the Fleet's Patent. 156.

GEORGE the Second, by the grace of God King of Great Britain, France, and Ireland, Defender of the Faith, &c. to all to whom these presents shall come, Know ye, That We very much confiding in the fidelity, experience and prudent circumspection of our trusty and well-beloved John Eyles, of Hatton-Garden, in the parish of St. Andrew, Holborn, in our county of Middlesex, esquire, of our special grace, certain knowledge and mere motion, have given and granted, and by these presents do give and grant, unto him the said John Eyles the office of Warden or Keeper of the Fleet, and the custody of the prison and gaol of the Fleet, situate and being in the parish of Bridget, otherwise St. Brides without Ludgate, London, and of the prisoners committed or to be committed to the prison or gaol of the Fleet aforesaid, and the capital messuage for the custody of the prisoners, and thirteen messuages in the parish aforesaid, and all other messuages, lands, tenements and hereditaments to the said office belonging and appertaining; and all the rent, fee or salary of seven pounds twelve shillings and one penny yearly, payable and to be paid by the hands of the sheriff of our city of London and our county of Middlesex for the time being, for the keeper or the custody of that prison and gaol; and all those other rents or annual payments issuing from and out of the messuages, lands and tenements within our said city of London and suburbs of the same, to the said office and custody of the prison and gaol of the Fleet aforesaid belonging and appertaining, being of the clear yearly value of four pounds, more or less; and all other fees, salaries, rents, profits, emoluments, liberties, jurisdictions, privileges, advantages and hereditaments whatsoever to the said office and prison, and to the keeper or custody of the same, or either of them, in anywise belonging or appertaining; and also all that office of keeper and the custody of our palaces of Westminster, called the Old Palace, and the New Palace in our county of Middlesex aforesaid, and the letting or setting of all shops, galaries and stands, as well within as without the palace or palaces of Westminster aforesaid, to the said office belonging or appertaining, and all that annual rent or fee of ten pounds twelve shillings payable and to be paid by the sheriff of our city of London and our county of Middlesex for the time being, for the execution of that office, in as ample manner and

form as any other warden or wardens of the Fleet aforesaid, heretofore having or exercising the said office, hath or have had or received, or ought to have had or received by reason thereof; and all that messuage or tenement, with the appurtenances, situate within the staple known by the name of the Wool Staple, at Westminster, called the Tipstaffs House, heretofore in the tenure or occupation of John Jennings or his assigns; and all those other messuages, buildings, tenements, rents, fees, salaries, profits, commodities, emoluments, advantages, jurisdictions, liberties, privileges and hereditaments whatsoever, to the office aforesaid of keeper, or to the custody of our palaces of Westminster aforesaid, in any manner belonging or appertaining, or accepted, reputed or taken as part, parcel or member thereof; and him, the said John Eyles, Warden or Keeper of the Fleet, and of the prison and gaol of the Fleet aforesaid, and Keeper of our palaces at Westminster aforesaid, we do make, ordain and constitute by these presents to have, hold, enjoy and exercise the said offices, messuages, lands, tenements, rents, annuities, fees, salaries, liberties, profits, advantages and hereditaments aforesaid, and all and singular other the premises aforesaid, with their and every of their appurtenances, unto the said John Eyles, by himself or his sufficient deputy or deputies, for whom he shall be answerable, for and during the will and pleasure of us, our heirs and successors, in as ample manner and form as his father John Eyles, esquire, deceased, or any other warden of our prison of the Fleet aforesaid, and keeper of our palaces of Westminster aforesaid, or either of them, heretofore hath had, held, used or enjoyed, or ought to have had, held, used or enjoyed the said offices and other the premises aforesaid, or any or either of them: Provided always, and by these presents we do strictly charge and command that the said John Eyles shall in no case be admitted into nor shall execute the said office or offices without our special licence under our sign manual first obtained in that behalf, nor shall enter into the said prison until he the said John Eyles shall have given good and sufficient security to us for his the said John Eyles' good behaviour in the said offices, or either of them, such security to be first approved by our Chancellor of Great Britain, or the Keeper of our Great Seal of Great Britain, or our Commissioners for the custody of our great seal of Great Britain; our Chief Justice of the Common Pleas, and our Chief Baron of our Exchequer for tho time being: Provided also, and we will that the said John Eyles shall enrol or cause to be enrolled these our letters patent in our court before our Justices of the Common Pleas at Westminster, within the space of six lunar months after the date of these presents: Provided likewise nevertheless, that if the said John Eyles shall sell or permit any person or persons to rent or farm any inferior office or offices under him, or take any money, fine, income or reward for or in respect thereof, contrary to the tenor of a certain act of parliament made in the second year of our reign, intituled, "An Act to empower His Majesty, his Heirs and Successors, during the life of Thomas Bainbridge, esquire, to grant the office of Warden of the Prison of the Fleet to such person or persons as His Majesty shall think fit, and to incapacitate the said Thomas Bainbridge to enjoy the said office or any other whatsoever;" then these our letters patent shall forthwith cease, determine and become utterly void to all intents and purposes. Lastly, we will, and by these presents do grant to the said John Eyles, that these our letters patent, or the enrolment thereof, shall and may be in all things good, firm, valid and sufficient and effectual in the law towards and against Us, as well in all our courts as elsewhere within our kingdom of Great Britain, without any confirmations licenses or tolerations hereafter to be procured or obtained from Us, notwithstanding the not reciting any former letters patent granted of the offices or premises, or the not naming or ill-naming the offices, prison, custody, rents, annuities, fees, salaries, and other the premises aforesaid, before by these presents granted or mentioned to be granted of any part or parcel thereof, or any other omission, imperfection, defect, matter, cause or thing whatsoever to the contrary hereof in anywise notwithstanding. Witness Ourself, at Westminster, the twenty-fourth day of November in the thirty-second year of our reign.

By Writ of Privy Seal.

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157. COPY of an Order of His Majesty's Court of Common Pleas at Westminster, excluding all Houses used as Lottery Offices from forming any part of the Rules of the Fleet Prison.

Hilary Term, in the thirty-second year of the reign of King George the Third.

UPON a representation made by the Commissioners of the duties on stamps, that certain persons confined within the Rules of the prison of the Fleet, carry on the unlawful practices of keeping open Lottery Offices, and dealing in the sale of tickets or chances depending on the drawing of tickets, hoping to escape the provisions made for the preventing such mischiefs, on the pretext of their being committed under the process of this Court;—

It is hereby ordered, That all houses or places used as Lottery Offices, in which tickets, shares of tickets, or chances depending on the drawing of tickets, are exposed to be sold, shall be excluded out of and deemed no part of the Rules of the Fleet prison.

By the Court.

Returns relating to the Marshalsea Prison.

RETURNS, delivered upon Oath, relating to the MARSHALSEA PRISON.

TABLE of FEES to be taken by the gaoler or keeper of the Marshalsea Prison in Southwark, in the county of Surry, for any prisoner or prisoners committed or coming into gaol, for chamber-rent there; or discharge from thence on any civil action, settled and established the seventeenth day of May, in the 5th year of the reign of His present Majesty King George the Third, one thousand seven hundred and sixty-five, pursuant to Act of Parliament, intituled, "An Act for the relief of Debtors, with respect to the Imprisonment of their Persons." 158.

	£.	s.	d.
To the knight marshal, upon the discharge of every prisoner charged with one or more actions	0	1	8
To the keeper, for his care and safe custody of every prisoner upon the discharge of such prisoner on the first action	0	4	8
To the keeper, upon the discharge of such prisoner, charged with one or more actions upon the first	0	3	8
To the surgeon or apothecary, on the discharge of every prisoner charged with one or more actions	0	1	0
To the chaplain, on the like discharge	0	1	0
To the turnkey, on the discharge of every prisoner on the first action	0	1	6
To the turnkey, on the discharge of such prisoner charged with one or more actions after the first	0	1	0
To the clerk, for entering the discharge of a prisoner on one or more actions	0	1	0
To the keeper, for the use of a bed, bedding and sheets for every prisoner, if found by the gaoler at the prisoner's request, for the first night on the master's side	0	0	6
And every night after the first night	0	0	3
And if two lie in a bed, two-pence each	0	0	4

No other fee for the use of chamber, bed, bedding, or upon the commitment or discharge of any prisoner in any civil action.

W. RICHARDSON, MANSFIELD,
A. BISHOP, C. PRATT,
L. HOWARD, T. PARKER.

For the Deputy Marshal,
Wm. Jenkins, jun.

An ACCOUNT of the Amount of Salaries, Fees, and other Emoluments, of the Turnkeys and other Officers of the Prison of the Marshalsea and Palace Courts. 159.

OFFICERS.	SALARIES. £.	s.	d.	FEES.	£.	s.	d.
First Turnkey	80	0	0	On the First Action	0	1	6
Second Turnkey	70	0	0	On the Second ditto	0	1	0
First Watchman	60	0	0	Refer to Table of Fees.			
Second Watchman	55	0	0				

For the Deputy Marshal,
W. Jenkins, jun

Returns relating to the Marshalsea Prison.

A LIST of FEES received by the Deputy Marshal of the Prison of the Marshalsea and Palace Courts, performing the duty of Clerk of the Papers, &c. of the said Prison.

160.

	£.	s.	d.
To petitioning the court to grant a rule to compel the plaintiff to perfect his declaration against the prisoner	0	2	0
The like, to compel the plaintiff to proceed to trial	0	2	0
The like, to compel the plaintiff to commit the prisoner in execution, preparatory to his suing for sixpences	0	2	0
Copies of causes	0	3	6
These fees are generally paid by the persons applying for habeas corpus. — Conduct fee for taking a prisoner before any jurisdiction in London	0	10	6
The like, for taking a prisoner to the assizes as evidence or otherwise	1	1	0

The expenses of suing the plaintiff for sixpences under the Lords' Act, and moving the court to obtain prisoner's discharge when supersedeable, are in almost all cases paid by the charities.

For the Deputy Marshal,
Wm Jenkins, junior.

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161. A LIST of Legacies, and other Charitable Donations, to the Common side of the Prison of the Marshalsea and Palace Courts.

	Weight, &c.	£.	s.	d.
The legacy of Frederick Ashfield, esquire, sent weekly by Mr. William Railton, of Clifford's Inn, consists of	32 lbs. of meat.	—		
The legacy of Mrs. Mary Simcott, sent every eight weeks by the chamberlain of the city of London, consists of	65 penny loaves.	—		
The legacy of Sir Thomas Gresham amounts to ten pounds per annum, and is paid by the chamberlain of the city of London quarterly, at the rate of		2	10	0
The gift of the Leather-sellers' Company amounts in money and bread to one pound six shillings and eight pence per annum, is paid quarterly, and consists of	32 penny loaves.	0	4	0
The legacy of Mr. Jacobs is paid at Easter, by the proprietors of the Grange Inn, Carey-street, and amounts to		0	2	0
The legacy of Mr. John Marks is one pound, and the interest of twenty-one pounds eighteen shillings and ten pence Old South Sea Annuities, is paid annually by the Company of Mercers, about April, and amounts to		1	13	1
The legacy of Mr. Robert Ramston is paid annually about Christmas, and amounts to		1	0	0
The legacy of William Roper, esquire, is paid annually by the Company of Parish Clerks about October, and amounts to		1	0	0
The legacy of Mr. John Gaythorn is paid annually by the Company of Cutlers, about Christmas, and amounts to		0	15	0
The legacy of Mr. Thomas Dawson is paid annually by the churchwardens of St. Ethelburgh, Bishopgate, about Christmas, and amounts to		0	9	0
The legacies of Mrs. Lettice Smith and Mr. Arthur Moses are paid annually, by the Company of Fishmongers, about Christmas, and amounts to		0	6	8
The legacy of Mr. Thomas Garrard is paid annually by the Company of Salters, about March, and amounts to		0	6	8
The legacy of Mr. Thomas Carter consists of a quarter of beef; and a peck of oatmeal is sent annually by churchwardens of St. Dunstan's in the East, about Lady-day, the general quantity is from	35 to 36 stone.	—		
The legacy of Mr. F. Stokes, sent annually by the Company of Drapers, about December, and consists of	60 threepenny loaves.	—		
The legacy of Mr. Ralph Carter consists of beef, annually, proportioned to the number of prisoners on the common side, is sent alternately by the churchwardens of Allhallows, Lombard-street, and by the churchwardens of St. Andrew Undershaft, about Christmas; the general quantity is from	80lbs to 100lbs.	—		
The legacy of Mrs. Margaret Deane, consists of beef and bread, annually, proportioned to the number of prisoners on the common side, is sent by the Company of Ironmongers, about November; the quantity varies from	2 stone 6lbs. and 18 loaves, to 1 stone 6½lbs. and 10 loaves.	—		

Returns relating to the Marshalsea Prison.

VOLUNTARY DONATIONS.

	£.	s.	d.
The donation of the Archbishop of Canterbury, is paid annually at the palace of Lambeth, about Christmas; and amounts to - - - - - - - -	1	0	0
The donation of the Lord Steward of His Majesty's household, is paid annually at the Board of Green Cloth, sometimes after Christmas, and amounts to - - - - - - - - - - - - - - - -	5	5	0
The donation of the Steward of the Court of the King's palace at Westminster, is paid on the court day immediately preceding Christmas, and amounts to -	1	1	0
The donation of Lord Somerville is paid annually at Messrs. Herries & Co. about February, and amounts to - - - - - - - - -	5	5	0
The donations and fines of the different officers of the Court of the King's palace at Westminster, are paid on the court day immediately preceding Christmas; the amount varies, according to circumstances, from - -	9	7	6 to 10 17 6

W. Jenkins, jun. Clerk Papers.

162.

AN ACCOUNT of the number of Prisoners confined in the Prison of the Marshalsea and Palace Courts, on the 9th day of March 1816. 163.

Male debtors - - - - - - - - - -	77
Female ditto - - - - - - - - - -	5
Admiralty prisoners - - - - - - - - -	10
Total - - -	92

For the Deputy Marshal,
Wm. Jenkins, jun.

Marshalsea, 18th December 1815.

REGULATIONS of the Prisoners' own making.

IT having been found necessary, and considered highly expedient that the Laws and Regulations heretofore acted upon, for maintaining good order and decorum in this Prison, should be revised and amended, the following Code was prepared by the Committee for the time being, and fully approved of and adopted by the collegians unanimously. 164.

Article 1st. That every male member on his entrance, be required to pay into the hands of the secretary the sum of five shillings and sixpence, and females two shillings and sixpence; the said fees will entitle him or her to the full rights, privileges and benefits arising from the ale-room; and that every collegian refusing or neglecting to pay the same as above ordered, for a longer time than one week, from the time of his entrance, shall be debarred from all the said privileges, &c.

The above fees are to remain as a fund, in the hands of the secretary, for the sole purpose of furnishing the college with mops, brooms and coals, candles, sand, &c. and a daily newspaper for the ale-room.

Article 2d. That a committee, consisting of nine members of the college, including their chairman, five of whom shall constitute a quorum, be elected by a majority of the votes of the collegians, and that such committee shall constantly subsist, and continue to hear and determine all causes and matters of dispute, and to settle and award the fines and penalties incurred thereby; which award or verdict shall be considered absolute and final: As vacancies will occur in the said committee, by members leaving the college, &c. such vacancies must be filled up by the election of other collegians in their stead.

That no member or members of the committee shall be exempt from any of the fines imposed on the collegians in general, if guilty of any offence which subjects them to the same; and every member of the committee, and the committee collectively, are amenable to their fellow collegians for his or their public conduct, as is more particularly provided for by a future article.

Article 3d. That the committee shall sit and hold an open court every Monday at eleven o'clock in the forenoon, to hear and determine all matters and things which may be brought before them; and that every male collegian be required to attend, or in default thereof, he shall forfeit and pay the sum of three-pence, to be applied in aid of the general fund. That during the time of such sitting, any member talking, or otherwise interrupting the business of the court, be fined one shilling, and for standing on the tables or seats of the room nine-pence. That it be eligible to every member of the college to speak on any question before the court, or to propose or move any new one, which in his opinion may tend to the regulation or improvement of the college, but that no member shall be suffered to speak or address himself to the committee unless he be standing and uncovered; the motion of any

Returns relating to the Marshalsea Prison.

collegian which shall be seconded by another, shall be put to the vote of the assembly present, and if carried, shall be considered as a standing law. That no strangers whatever be admitted into the room during the sitting of the court.

Article 4th.—That a secretary or accountant shall be elected every last Monday in every month, by a majority of the votes of the collegians, who shall be allowed the sum of seven shillings a week for his trouble, and for which he is to perform the following duties, viz.—To receive all fees and fines; to pay all bills due from the college; to submit an account of the receipts of fees, fines and disbursements every Monday in the ale-room, for the inspection of the collegians; to see that the ale-room be kept clean, and supplied with coals, candles, &c.; to see that daily newspapers be supplied for the use of the ale-room; to collect impartially all fines which may become due, an account of which must also be submitted to the college every Monday morning, and on quitting his office, to resign his books and accounts, and whatever balance he may have in his hands, to such person as may be appointed to succeed him; to inspect the staircases and other parts of the college every Sunday morning, to see that the same are kept clean.

Article 5th.—That a master of the ale-room be appointed in like manner as the secretary, and be paid for his services the sum of seven shillings per week, and to perform the following duties, viz.—To have the ale-room cleaned out every morning by eight o'clock; to have the water boiling from half-past eight till ten o'clock every morning, and from half-past four to seven in the evening; to put out the fire, and shut up the room every night at eleven o'clock, club-nights excepted, and to see that the same be thoroughly scrubbed every Saturday; to have the ale-room ready every club night at seven o'clock, and to be particular not to admit boys into the room on that night; to keep the door closed during a song; to collect the accounts due from the ale-room, and deliver the same to the secretary.

Article 6th.—That a scavenger be appointed, in like manner as the before-mentioned officers, who shall receive for his services the sum of seven shillings per week; that he shall clean or cause to be cleaned the yards, watercourses, privies, &c. every morning; and to clean the stairs of each house, if so employed by the inhabitants of the same, for which he shall receive, exclusively of his weekly salary, the sum of three-pence per staircase from the occupants of the rooms thereon alternately, and that he shall clean out the water-cistern and butts at least once a week.

Article 7th.—That a college guide be elected in like manner, whose salary shall be one shilling per week, and to inform every new collegian, as soon as he conveniently can, of the principal standing laws and regulations of the college; an infringement of which may subject them to fines, &c. and for the performance of which services he shall be entitled to and receive from every new collegian the sum of four-pence, a refusal of which shall subject him to a fine of one shilling; and in case he shall neglect to give such information, whereby the new collegian shall incur a penalty, he shall be subject to pay the same himself, and be further subject to the fine of four-pence; and that it shall be his duty to collect a proper list of all cases for the consideration of the committee, and deliver the same to their chairman every Monday morning at eleven o'clock.

Article 8th.—That a special or extraordinary court may be convened, upon the application of any collegian to the secretary, on payment of one shilling to him for his trouble; such court, consisting of the committee only, shall be held at twelve o'clock next day; any member of the committee having due notice of the same, and not attending, shall be fined sixpence.

Article 9th.—That any person not abiding by the decision of the committee, as named in the second article, shall pay a fine of two shillings and sixpence; and on his refusal to comply with the same, he shall be sent to Coventry, and his name shall be posted in the ale-room and other conspicuous places of the college, and underneath shall be written the description of offence with which he is charged.

Article 10th.—That no person sent to Coventry be allowed to go into the ale-room, nor participate in any of the advantages belonging thereto; and any collegian found associating with, speaking to, or holding any communication whatever with the person so sent to Coventry, shall be fined sixpence for every such offence; and if such person or persons offending against this article shall refuse to pay the fine so incurred by him or them, he or they shall also be sent to Coventry for such period as the committee shall think fit.

Article 11th.—That on the last Monday of every month the committee be subject to be dissolved at the pleasure of the collegians; and in case a motion be made to that effect, the question must be decided by a majority of votes, and if carried, an election for a new committee must immediately take place. The same regulation to hold good with respect to the offices of secretary, master of ale-room, scavenger and college-guide, whose situations shall of course become vacant, if any opposition to their continuance be manifested; in which case an election for other persons to fill those respective offices must take place with all convenient speed.

Article 12th.—That any member of the college taking away the property of another from his person, or otherwise, without consent, be upon conviction fined two shillings and six-

pence. That it shall be lawful for the committee to issue their warrant to search the room or rooms of the person or persons suspected, so as to enable them to discover the property taken away, and that any persons resisting such search be fined one shilling; and that if the property shall be found in any other collegian's room or possession, he shall be subject to the further fine of one shilling.

Article 13th.—That any collegian throwing water upon or otherwise annoying another, or creating any noise or disturbance after twelve o'clock at night, be fined one shilling.

Article 14th.—That any collegian using obscene, opprobrious, or offensive language, or challenging another to fight, be fined two shillings and sixpence. If the party enduring such provoking language strike the other, his offence shall be judged of by the committee, according to the merits of the case.

Article 15th. That any two collegians seen in the act of fighting, be fined five shillings each.

Article 16th. That every collegian preferring a charge against another, which shall, in the judgment of the committee, be considered wanton, unfounded or frivolous, to be fined one shilling.

Article 17th. That a court of requests, consisting of the committee, be held as often as occasion may require, to take into consideration the most effectual method of recovering small debts; and that after the creditor and debtor have been heard, the court shall levy such sum or sums from the debtor, to be paid by instalments or otherwise, as they shall think proper. The said payments, in the first instance, to be made into the hands of the secretary, and by him to be paid over to the creditor. That in all cases of this nature the creditor shall pay to the secretary, for his trouble in calling said court, the sum of one shilling.

Article 18th. That in addition to the foregoing articles, every collegian offending against the regulations following, be fined in the sum affixed to the offence he shall commit; viz.

That any person swearing or using abusive or obscene language, be fined sixpence.

Any person smoaking in the ale-room between the hours of eight and ten in the morning, or twelve and two in the afternoon, shall be fined sixpence.

Any person throwing water, or any other thing, in or out of the windows of their respective rooms, or into those of any other persons, or ashes or dirt in any part of the yard or passages, except the place appointed for the same, be fined nine-pence.

Any person defacing the staircases, &c. be fined nine-pence.

Any person dirtying the seats of, or committing any nuisance in the privies, or throwing soil or filth in any part of the college, except in the proper receptacles for the same, be fined two shillings and sixpence; half of which shall be given to any person who shall discover and report the same.

Any person making water in any part of the yard, except the place appropriated for the same, be fined nine-pence.

Article 19th. That in event of any case occuring deserving punishment, which is not provided for by any of the foregoing articles, it shall be at the discretion of the committee to add such article or articles which may prevent such offence in future.

And that in all matters of fine or penalty, it shall be competent for the committee to mitigate the same at their discretion, and according to the circumstances of the case.

Article 20th. That any person drawing water from the boiler in the ale-room, before the water in the same is boiling, or for any other purpose than for his tea or coffee-pot, which must have tea or coffee in at the time, be fined sixpence.

That any collegian who shall carry out of the ale-room the newspaper, or any utensil belonging thereto, shall pay the fine of sixpence for every such offence; but in case the lost article shall afterwards be found in the room of any collegian, the fine shall be two shillings and sixpence.

Article 21st. That in order to preserve a due respectability and decorum in the character of the committee, any member of the same who shall be guilty of offending against the twelfth, fourteenth, or fifteenth articles, he shall not only be amenable to those laws and to the fines imposed thereby, but shall subject himself to be suspended from his situation, or be altogether expelled from it, according to the nature of the charge against him; and as a majority of votes in the committee shall determine on such charge being made against any member of the committee, he shall quit his seat during the hearing of the question, and have no vote in the decision thereof; and in case the votes are equal for and against him, the secretary shall be eligible to give the casting vote.

Article 22d. That in order to preserve the committee from the slander of private animadversion, which has heretofore too frequently been the case, any collegian who shall be charged and convicted invidiously speaking in private of the official conduct of the committee, or of any individual of that body, or in any manner which shall tend to degrade or bring him or them into contempt with their fellow collegians, shall be subject to pay a fine of two shillings and sixpence for every such offence; provided

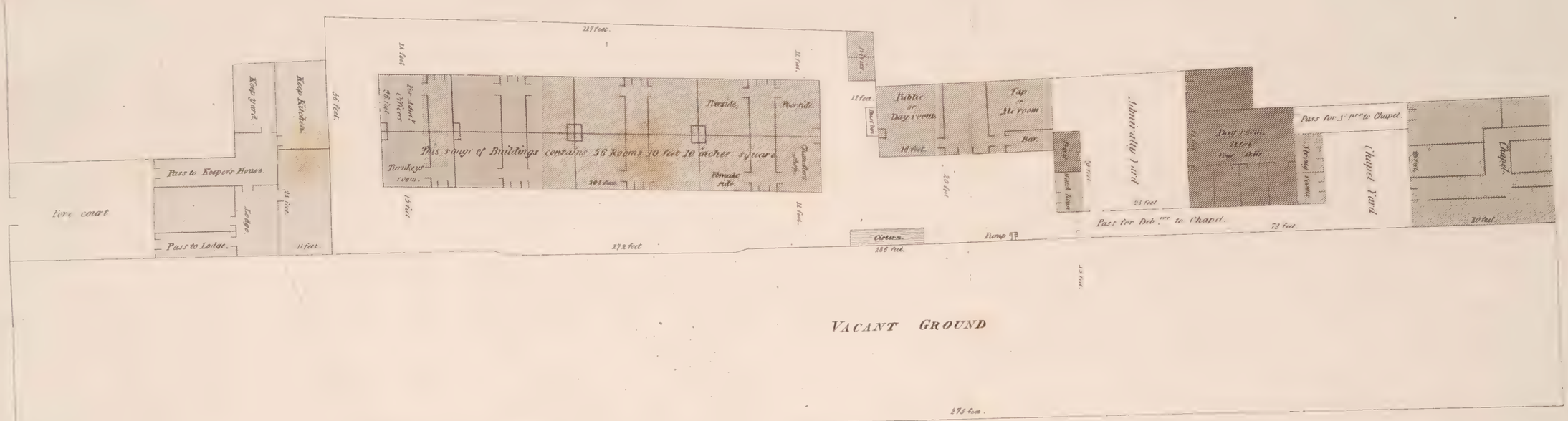
Returns relating to the Marshalsea Prison.

provided nevertheless, and it is to be fully understood, that every collegian is competent to bring forward at the usual public sitting of the committee on Monday, or to call a special court for the purpose, if he chooses, any charge against the committee at large, or any member thereof, for a dereliction of his duty in that capacity, and to move a vote of censure on his conduct, or even for his expulsion from his situation.

If such charge shall be against the committee generally, it shall be fully competent for the complainant to take the sense of the college on the question, or to dissolve the said Committee on a majority of votes; in that case the collegians must immediately proceed to election of a new committee.

Article 23d. That in order to preserve due harmony and mutual good understanding among persons confined in this place, and to set at rest the question and disputes which have arisen from time to time as to the rights and privileges of collegians who are supersedeable; it has been agreed, and is hereby settled, that every collegian who shall be supersedeable, as they are amenable to the laws, so they shall be as elegible as any other collegian to move or vote on any new regulation for the general good of the college. That every such supersedeable member shall also be eligible to hold any situation of honor or trust, such as member of the committee, &c. or to vote at the election of others; and that in consideration of their being liable to the charge and expense of additional chummages, they are further to be and they are hereby considered eligible to hold any office or situation of emolument or profit in the college, provided they shall be duly elected thereto.

165. Ground Plan of the Marshalsea Prison.



109. Ordered, by the HOUSE OF COMMONS, to be Printed, 16th March 1819.

James Basire, sculpt.
Luke Hansard & Sons, Printers.

MARSHALSEA PRISON:—DESCRIPTION of the BUILDING.

166. THE Buildings appropriated for the dwelling of debtors in the aforesaid Prison, occupy a space of ground of one hundred and one feet nine inches in front, and twenty-five feet five inches in depth, on which is built eight houses, four in front and four in back, and which are numbered N° 1 to N° 8 inclusive; those N° 2 and N° 7 inclusive, are double houses containing eight rooms, to wit, two rooms on each floor; those N° 1 and N° 8, are single houses containing four rooms each, making in the whole, the number of fifty-six rooms; the dimensions of which rooms being so nearly equal, that it will be sufficient to give the dimensions of the four rooms in N° 1, as follows, beginning on the ground floor.

N° 1 in N° 1.

	ft.	in.
From window to back wall	10	5
- - door to wall	10	6½
- - floor to ceiling	9	0

N° 2 in N° 1.

- - window to wall	10	10
- - door to wall	10	11
- - floor to ceiling	8	11

N° 3 in N° 1.

- - window to back wall	10	10
- - door to wall	10	11
- floor to ceiling	7	11

N° 4 in N° 1.

- - window to back wall	10	9
- - door to wall	10	10½
- - floor to ceiling	8	0

ALE-ROOM:

Length	14	4
Width	15	2
Height	8	7

TAP-ROOM:

Length	14	2
Width	15	0
Height	8	7

MEN'S INFIRMARY:

Windows to wall	16	8
Breadth, exclusive of cupboard	12	7½
Extreme breadth	15	6
Floor to ceiling	7	11½

FEMALE INFIRMARY:

Window to wall	16	8
Breadth, exclusive of cupboard	12	5
Extreme breadth	15	5½
Floor to ceiling	7	11

SURGERY:

Window to door	6	10½
Breadth	9	8
oor to ceiling	8	0

DAY-ROOM IN ADMIRALTY PRISON:

Extreme length	23	7
D° breadth	11	3
Floor to ceiling	9	11½

CABINS IN DAY-ROOM:

		ft.	in.
No. 1. next the fire-place	length	8	8
	width	5	10½
No. 2.	length	8	8½
	width	5	10½
No. 3.	length	8	8½
	breadth	5	11
No. 4.	length	8	8½
	breadth	5	11
Floor to ceiling in all the above		10	0

CABINS UP-STAIRS:

			ft.	in.
Right hand.	No. 1.	length	9	11
		width	5	7
		height	10	7½
	No. 2.	length	9	11
		width	5	7½
		height	10	5½
	No. 3.	length	9	11
		width	5	7½
		height	10	6
Left hand.	No. 1.	length	10	0
		width	6	7½
		height	10	6
	No. 2.	length	10	1
		width	6	5½
		height	10	4
	No. 3.	length	10	1
		width	6	7
		height	10	5½

STRONG ROOMS, facing the Chapel Door:

			ft.	in.
No. 1.		length	9	1
		width	6	8
		height	7	1
No. 2.		length	9	0
		width	6	8
		height	7	1½

CHAPEL:

Length	30	8½
Breadth	26	1

ADMIRALTY YARD:

From door to back wall	28	0
Breadth, from privy to front of prison	23	2
Extreme breadth	29	6½

DEBTORS' YARD:

From the corner of the house, N° 1, on the front parade to the boundary wall	14	11½
From the corner of the house, N° 8, on the back parade to the boundary wall	14	10
Extreme width of yard from boundary wall, next the iron-gates	56	0
D° across by the dust-bin	48	9
Length from the iron rails to the hatch leading to Admiralty prison	172	6
(Back parade) from wall next to kitchen up to privies	117	—

1st June 1816.

Wm. Jenkins,
Clerk Papers.

Accounts, &c. relating to the Marshalsea Prison.

167. An ACCOUNT of Fines, Legacies, and Donations received by the Debtors on the Poor Side of the Prison of the Marshalsea and Palace Courts, between the twenty-second day of December one thousand eight hundred and fifteen, and the twenty-third day of May one thousand eight hundred and sixteen.

1815.		£.	s.	d.
Dec. 23.	The weekly allowance of meat from the charity of Frederick Ashfield, esquire - - - - - - - -	32 lbs.		
24.	Legacy of Mr. Ralph Carter - - - - - - -	80 lbs.		
	Legacy of Mr. John Gaythorn - - - - - - - -		0 15	0
30.	Weekly allowance of meat - - - - - -	32 lbs.		
	Annual Donation of the Archbishop of Canterbury - - -		1 0	0
1816.				
Jan. 4.	Legacies of Mrs. Lettice Smith and Mr. Arthur Moses - - -		0 6	8
5.	Legacy of Sir Thomas Gresham - - - - - - -		2 10	0
6.	Weekly allowance of meat - - - - -	32 lbs.	—	
	Legacy of Mr. Robert Ramston - - - - - - -		1 0	0
	Legacy of Mr. Thomas Dawson - - - - - - -		0 9	0
12.	Weekly allowance of meat - - - - -	32 lbs.	—	
16.	Legacy of Mr. Thomas Garrard - - - - - - -		0 6	8
20.	Weekly allowance of meat - - - - -	32 lbs.	—	
24.	Annual Donation of the Lord Steward of His Majesty's household -		5 5	0
27.	Weekly allowance of meat - - - - -	32 lbs.	—	
Feb. 3.	The like - - - - - - - - - -	32 lbs.	—	
10.	D° - - - - - - - - - -	32 lbs.	—	
13.	A gentleman called, and gave the Donations to the following prisoners -	s.		
		Flin - 5		
		Wray - 5		
		Fisher - 5		
		Thissalton 5		
		Turner - 5		
		Clarke - 5	- -	2 15 0
		Mrs. Church 5		
		Bass - 5		
		Ford - 5		
		Hawkins 5		
		Servey - 5		
17.	The weekly allowance of meat - - - - -	32 lbs.	—	
20.	Legacy of Mrs. Mary Simcott - - - - -	65 lbs.	—	
24.	Weekly allowance of meat - - - - -	32 lbs.	—	
March 2.	The like - - - - - - - - - -	32 lbs.	—	
9.	D° - - - - - - - - - -	32 lbs.	—	
16.	D° - - - - - - - - - -	32 lbs.	—	
23.	D° - - - - - - - - - -	32 lbs.	—	
22 & 23.	The gift of the Leather-sellers Company - -	26 loaves at 2d. each	—	
	Cash - - -		0 6	0
24.	Legacy of Mr. Thomas Carter, beef and oatmeal -	36 stone 1 lb. 1 peck	—	
30.	Weekly allowance of meat - - - - -	32 lbs.	—	
April 6.	The like - - - - - - - - - -	32 lbs.	—	
	Legacy of Mr. Jacobs - - - - - - - -		2 0	0
	Legacy of Mr. John Marks - - - - - - -		1 13	1
	Legacy of Sir Thomas Gresham - - - - - -		2 10	0
13.	Weekly allowance of meat - - - - -	32 lbs.	—	
18.	Legacy of Mrs. Mary Simcott - - - - -	65 loaves	—	
20.	Weekly allowance of meat - - - - -	32 lbs.	—	
27.	The like - - - - - - - - - -	32 lbs.	—	
May 4.	The like - - - - - - - - - -	32 lbs.	—	
11.	The like - - - - - - - - - -	32 lbs.	—	
18.	The like - - - - - - - - - -	32 lbs.	—	

23 May 1816. *John Cruchley,* Deputy Marshal.

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168. A LIST of Debtors discharged from the Prison of the Marshalsea and Palace Courts, between the twenty-second day of December one thousand eight hundred and fifteen, and the twenty-third day of May one thousand eight hundred and sixteen, by the Oxford Charity.

1816.		To Cash paid for the discharge of,—	£.	s.	d.
April 29.	Want	ats Milbourne - - - - - - - -	1	6	6
30.	Bartram	— Clarke - - - - - - - -	0	10	10
—	Atkinson	— Stephens and others - - - - - -	0	10	10

30. Lawrence

Accounts, &c. relating to the Marshalsea Prison.

1816.				£.	s.	d.
April 30.	Lawrence	ats	Wilson	0	10	10
May 1.	Gregory	—	Webb	0	10	10
3.	Walpole	—	Banfield	1	17	4
—	Finch	—	Speedy and Shutt, two actions	0	15	6
9.	Cathery	—	Stephens	1	17	4
18.	Sluter	—	Rodwell	0	10	10
—	Pickersgill	—	Takush	1	17	4
21.	Hooker	—	Jones	0	10	10
—	Barringer	—	Sheldrick	0	10	10
—	Humphries	—	Shearer	0	10	10
22.	Yarrow	—	Baker	0	10	10
—	Green	—	Buttermer	0	10	10
23.	Anderson	—	Gray	0	10	10
—	Wood	—	Hale	0	10	10
—	Ebbs	—	Smith	0	10	10
				14	14	10
	By Balance due to Mr. Jenkins to December 22, 1815			7	19	6
	Receipt Stamp			0	1	6
				22	15	10
April 29th.	By cash received of William Morland, esq. on account of the Oxford Charity			50	0	0
	Balance due to the Oxford Charity this day			£.27	4	2

John Cruchley,
May 23d, 1816. Deputy Marshal.

I have audited and examined these Accounts, and they appear to me correct.
May 31st, 1816. *J. C. Hewlett,* Secondary,

A LIST of Debtors discharged from the Prison of the Marshalsea and Palace Courts, between the 22d day of December 1815, and the 23d day of May 1816, per Dr. Pilling's Charity. 169.

1815:
June 30th. Balance due to Mr. Jenkins, this day - - - £.3. 1s. 0d.

None discharged on account of the above Charity this half-year.
23d May 1816. *John Cruchley,* Dep. Marshal.

I do hereby Certify, That in pursuance of the Act of the 53d George III. cap. 113, I have, between the 28th December 1815, and the 25th of May instant, paid to the prisoners in the Marshalsea and Palace Court Prison, various sums of money, amounting in the whole. to the sum of one hundred and fifty pounds, sixteen shillings and sixpence. 170.
May 28th, 1816. *Wm Fletcher Hope.*

A LIST of Debtors who have received the county allowance of sixpence per diem, under an Act passed in the fifty-third year of the reign of His Majesty King George the Third, intituled, "An Act for providing Relief for the poor Prisoners confined in the King's Bench, "Fleet, and Marshalsea Prisons."

1815:
December 28. William Pode.
Henry Atkinson.
Elizabeth Gregory.
George Whyley.
Richard Bartram.

1816:
January 4. James Jennings.
Catherine Adams.
Thomas Almond.
11. William Fordyce.
Samuel Arniston.
John Barringer.
18. William Horncastle.
February 1. Charles Cooke.
Ann Yarrow.

1816:
February 15. Richard Bowler.
Anthony Harding.
James Peake.
James Parker.
22. Thomas Longley.
Ralph Romanall.
William Probin.
William Biggs.
Francis Stanley.
29. John Thomas Smith.
William Bevan.
Thomas Rochester.
March 7. Alexander Jacob.
William Pennington.
Christopher Woodhouse.

April

Accounts, &c. relating to the Marshalsea Prison.

1816:
April 4. Richard Claney.
William Want.
Andrew Watts.
Stephen Withers.
18. John Mead.
William Younden.
Richard Pickersgill.
Jeremiah Wooltorton.
Robert Clarke.
25. George Hughes.
Isaac Wheeler.
May 2. William Thompson.
Richard Cox.
Richard Fuller.
John Parke.
William Tinker Green.
8. Lear Wilson.
William Raisbury.
William Byne.
Francis St. John.
William Heath.
Thomas Crane.
William Martin.
John Price.
William Porter.
Thomas Crosse.

1816:
January 18. Joseph Wood.
Robert Ward.
John Arbuthnot.
Thomas Chamberlain.
Benjamin C. Fish.
James Higgins.
Thomas Richardson.
John Warden.
25. Jonathan Crocker.
Richard Burge.
Richard Harradence.
John Sluter.
Samuel Hooker.
February 1. John Huggins.
8. George Simpson.
15. Andrew Manning.
Thomas Probin.
Richard Pimm.
April 4. Mary Ann Walpole.
James Shackleford.
11. John Hanslow.
William Dougal.
Joseph Roome.
Catherine Adams.
George Holding.
Susannah Sinclair.
4. John Stapleton.
George Fuller.
William Marath.
James Woolaston Butler.
John Bell.
Thomas Temple.
Samuel Mead.
Thomas Street.
George Swinyard.
Samuel Garthwaite.
John Cathery.
Edward Stevenson.
William Wyeth.
Alexander M'Laren.
Thomas Forshaw.
William Newton.
Martha Todd.
John Ebbs.
9. William Willoughby.
John Stephenson.
Thomas Burgess.
Daniel Eggbreeht.
John Howard.
Robert Smart.
16. John Ballard.
George Wright.
George Morecroft.
4. William Daintree.
Samuel Barnes.
Thomas Humphries.
John Huggins.
11. William Anderson.
John Smith.
May 16. Joseph Wooton.
Mary Ford.
William Clark.
James Conner.
John Hayden.
James Mullett.
23. Thomas Webster.
Ammon Nelson.
Margaret Barnet.
John George Stubbs.
Alexander Stewart.

Mr. William Fletcher Hope, the person appointed to distribute the allowance under the said act, has certified to me, that he has paid to the debtors above-named, the sum of one hundred and fifty pounds, sixteen shillings and sixpence, to the twenty-fifth day of May instant, as appears by his Certificate, a copy of which is hereunto annexed.

23d May 1816. *Jn° Cruchley*, Deputy Marshal.

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171. His Majesty's Prison of the Marshalsea and Palace Courts.

Court held on Friday, November twenty-second one thousand eight hundred and sixteen.

Weekly State of Prisoners:

Debtors - - - - - - - -	86
Crown Prisoners - - - - - - -	—
Admiralty Prisoners - - - - - - -	2
Total - -	88

Jn° Cruchley, Dep. Marshal.

Accounts, &c. relating to the Marshalsea Prison.

His Majesty's Prison of the MARSHALSEA and PALACE COURTS.

Court held on Friday November twenty-second, one thousand eight hundred and sixteen. 172.

SICK REPORT.

Names:	Complaint:	Remarks:
Mr. Phillips. - -	Febris. - - -	—

Charles Phillips, Surgeon.

COPY of the Appointment of the Reverend Arthur William Trollope as Chaplain to the Prison of the Marshalsea. 173.

TO all to whom these presents shall come, Know ye, That I, Sir James Bland Burgess, of Eltham in the county of Kent, baronet, Knight Marshal of His Majesty's most honourable Household, Marshal of the Marshalsea thereof, and one of the Judges of the Court of our Lord the King of His Majesty's Palace of Westminster, have given and granted, and by these presents do give and grant to my beloved in Christ, the Reverend Arthur William Trollope, Master of Arts, the office or place of Chaplain of the Marshalsea of the said Household and the court and chapel thereof, and of the court of His Majesty's Palace of Westminster aforesaid, now lawfully vacant by the death of William Woolley, clerk, and to my donation and free disposition in full right belonging; and by these presents do make, constitute and appoint him, the said Arthur William Trollope, Chaplain of the Marshalsea of the said Household and of the court and chapel thereunto belonging, and of the court of His Majesty's palace of Westminster aforesaid, to have, hold, and enjoy the said office or place of chaplain of the Marshalsea of the Household aforesaid, and of the court and chapel thereto belonging, and of the court of His Majesty's Palace of Westminster aforesaid, to him the said Arthur William Trollope, during his natural life, with all and every the salaries, stipends, fees, rights, and appurtenances to the same office or place of chaplain of the Marshalsea of the Household, and of the courts aforesaid, in anywise appertaining, as fully, freely, and perfectly, and in as ample manner and form as any other hath or ought to have held and enjoyed the same.

In witness whereof I have hereunto set my hand and seal, the third day of December, in the year of our Lord one thousand seven hundred and ninety-six.

J. B. Burgess. (L. S.)

Sealed and delivered in the presence of
William Cruchley, Deputy Prothonotary of the Courts aforesaid, and Secretary to the Knight Marshal.

Board of Green Cloth, 6th June 1797.

Let this warrant be entered.
J. Fanshaw.

I certify the above to be a true copy of my appointment as chaplain to the prison of the Marshalsea. Given under my hand, this seventh day of February, in the year of our Lord one thousand eight hundred and eighteen.

Arthur William Trollope.

Christ's Hospital, Feb. 7th, 1818.

ORDER respecting the Office of Chaplain. 174.

Palace Court, June 2d, 1815.

THE court having read the Report from the Committee of the House Commons appointed to enquire into the state of the King's Bench, Fleet, and Marshalsea Prisons, which states that the chaplain of the Marshalsea Prison is Mr. Trollope, who has a salary of fifty pounds per annum, but that he officiates by his deputy, a Mr. Webster, to whom he gives twenty pounds per annum; and having in open court thereupon examined Mr. Jenkins, the deputy marshal of the Prison of the Palace Court relative thereto; and it appearing to the court, that almost immediately after the appointment, the said chaplain had ceased to do the duty in person, though from no cause of sickness or infirmity, being one of the masters of the school at Christ's Hospital: Do order and direct that he, the said deputy marshal, do immediately communicate and report to Sir James Bland Burgess, baronet, marshal of His Majesty's Household, and also marshal of the Marshalsea of the

Accounts, &c. relating to the Marshalsea Prison.

King's House, and as such, having the care of the said Prison of the Marshalsea,—That the Court think it highly improper that the duties of chaplain should be performed by deputy, and that the Reverend Mr. Trollope should receive the salary granted by Government, for the purpose of remunerating the person who should perform the duties of that situation himself.

By the Court.

June 9th, 1815.

On Tuesday morning last I waited on Sir James Bland Burgess, in obedience to an order of this honourable court, made on the second day of June instant, and presented him with a copy of the said order; which having read, he directed me to inform the court that he had appointed the Reverend Mr. Trollope near twenty years ago to the chaplaincy of the prison of the Marshalsea and Palace Courts for life; that he was a most respectable man, and if there was any complaint against him, the court had better send for him, and let him answer for himself.

(Signed) *Wm. Jenkins*, Dep. Marshal.

9th day of June 1815.

IT is Ordered, That the prothonotary do transmit, for the information of the Lords Commissioners of His Majesty's Treasury, a copy of the order of court made on the second day of June instant, and also a copy of what passed between Sir James Bland Burgess and Mr. William Jenkins, the deputy marshal, relative thereto, and which was reported to the court on this day, in order that the Lords Commissioners of His Majesty's Treasury may do what in their judgment they shall think most fitting.

By the Court.

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175. RULES AND ORDERS:—Palace Court.

The Deputy Marshal's Duty.

Anno Dom. 1675.

THAT the deputy marshal, if the court think fit to assign his bond, shall appear to a declaration filed against him for an escape or extortion, or otherwise, as the case shall require, to try the matter of fact, and that he shall bring no habeas corpus in such case, nor writ of error; and that upon his putting in good bail to such action, his bond not to be assigned, or be suspended; but if the court think fit not to proceed that way, then the profits of such deputy marshal, upon any such escape or other misdemeanor, may be stopped and detained in the hands of the court, and applied to the payment of what shall be judged due of him or payable by him, until satisfaction shall be given to the party injured.

That a table of fees be set up in the prison, and another in the court, containing all fees due to the deputy marshal, and any under him.

That if a man and his wife be arrested upon mesne process, made jointly against them both, and both of them thereupon carried to prison; in such case the woman to be discharged without fees, and if the woman only be brought to prison upon such writ, she to be discharged in like manner as aforesaid.

That the deputy marshal provide an honest learned man to be his clerk, who shall attend at the court day to execute the commands of the court, to receive prisoners there committed, and to bring up others to plead to trial, or to be charged in execution, and to have by him the book of all the prisoners charged in custody, and he to give security, and be sworn duly to pay and dispose of all money by him received for the benefit of poor prisoners, and all other monies received by him for the judges and officers of this court; and also to be sworn as an officer to arrest, so that he may be forced to return all bail bonds by him taken; take up the securities, or make up the plaintiff's debt good.

That the deputy marshal permit none to go at large but such as are bailed in the court, upon pain of

That the clerk of the prison take care that every action against a prisoner proceed to issue and trial.

That the deputy marshal of this court and his clerk shall twice every year (viz. on the 10th day of December and on the Monday next before Whitsuntide) give an account upon oath of all fines and charities, money by them received and disposed, to or for the relief of the poor prisoners charged by process of this court, the same account first to be audited and examined by the secondary of this court; that the deputy marshal of this court, his clerk, or one of them, do always in their own persons receive such fees from all persons as shall be due, for the commitment of all persons, and that they be both sworn to take no more than the due fees allowed by this court, and that they shall make true payment of all fees by them received, which are due to the knight marshal or any officer of this court.

November 30th, 1816. (Signed) Ed. Wyndham,
Jas. Butler.

Examined with the original rules.

J. C. Hewlett,
Deputy Prothonotary.

MARSHALSEA and PALACE COURTS.—March 4th, 1808.

176.

IT is Ordered, That from and after the next court day, the following Rules and Orders for the better good government of His Majesty's prison of the said court of Marshalsea, and the court of the King's Palace of Westminster, be strictly observed and kept.

	£.	s.	d.
To the keeper, for the use of chambers, bed, bedding and sheets for each prisoner, if provided by the keeper at the prisoner's request (per week) - - -	0	3	6
And if the prisoner finds his own bed, bedding and sheets (which the keeper is in no sort to hinder him of) then he shall pay for chamber rent to the keeper (per week) - - - - - - - - - - - - - -	0	1	0
And if two lie in the same room, finding their own bedding as above, then each shall pay to the keeper (per week) - - - - - - - - -	0	0	6

And it is ordered, That if a master's-side prisoner neglect for a month to pay his chamber-rent, the prisoner to be turned over to the common side till he pays, his goods to be delivered to him by a witnessed inventory, and if supersedeable or discharged by the plaintiff, the keeper is hereby directed to detain such prisoner for fees, and a month's chamber-rent:

And that none be permitted to sell in the prison victuals or drink without the consent of the keeper; a prisoner thus offending to be turned over to the common side for a month; and that the keeper do take care that those who sell do keep good order:

That the several rooms or chambers be at the disposal of the keeper as above, and that prisoners turned to the common side for offending, or nonpayment, be not allowed to share any charities, bear any office, or vote for officers.

	£.	s.	d.
And it is further ordered, That there be paid to the keeper, for a copy of cause on the first action on which the prisoner is detained - - - - - -	0	3	6
And for every cause after the first - - - - - - - - -	0	1	0
Also to the keeper for his conduct warrant on his attendance with prisoners on returns of habeas corpus by rules or orders of Court, to be bailed or receive judgment, or to be examined by commissioners of bankrupts, or attending out of the said prison with the commitment book - - - - - - -	0	10	6

And it is also ordered, That the keeper of the said prison, clerk of the papers, turnkey, clerks and assistants respectively, do in all things conform themselves to the foregoing rules, and in general to the usage, custom and practice of the prison of His Majesty's Court of King's Bench.

And lastly, it is ordered, That a copy of these rules be hung up in the lobby of the said prison for the public inspection (at seasonable times in the day-time) of any prisoner now in or hereafter to come into the said prison.

By order of the Knight Marshal,
William Cruchley.

Marshalsea, March 7th, 1808.

177.

Notice is hereby given, That a copy of the Rules and Orders made by Sir James Bland Burgess, baronet, Knight Marshal, for the future government of the prison of the Marshalsea and Palace Courts, is now hung up in the lodge, for the information of any prisoner, at seasonable hours in the day-time.

William Jenkins.

RULES and ORDERS of the New Prison of the MARSHALSEA and PALACE COURTS.

1. IT is hereby Ordered, That the gates of this prison be opened every morning during the year at eight, for the admission of visitors and others, and to continue so till the hour of ten in the evening, (except Sundays and all other fast-days, when they will be closed during the time of divine service, from eleven till one o'clock in the afternoon,) at locking up for the evening, the keys to be returned to the deputy marshal, and to remain with him, unless any prisoner shall be taken ill, and require the assistance of the surgeon, or on any other special purpose.

2. That the cells of the Admiralty prisoners be also unlocked at eight in the morning during the year, and their allowance then delivered to them. Visitors to be admitted between the hours of twelve and four in the afternoon; and a short time before dusk the cells to be finally locked up for the night.

3. That the tap of the said prison remain open for the accommodation of the prisoners till the hour of eleven, when they are to retire to their own rooms.

4. That all debtors, at the time of their being brought into custody, or immediately after, be furnished with a chum-ticket in the regular order of the chum-list, without any favour or partiality

Accounts, &c. relating to the Marshalsea Prison.

partiality whatever; and that no fee or reward be taken by any of the established officers of the prison for that purpose.

5. That the steward of the common side do keep a regular account of all charities and donations received by him, and of their just and equal division; and also that he submit such account to the inspection of any of the members thereof, and to the deputy marshal, whenever he is required so to do.

6. That the prisoners intending to claim the benefits of the common side, do apply to the steward to prepare the necessary affidavit; and upon their making oath before the deputy marshal that they are proper objects, they shall be entitled to participate therein. And those prisoners also who are desirous of receiving the county allowance of sixpence per diem, will be ordered the same on the usual days of payment, on their conforming to the rules mentioned in the Act of Parliament.

7. That the chaplain or his deputy perform divine service every Sunday and fast-day during the year, and deliver a sermon or other suitable discourse to his congregation. He will also be expected to visit the Admiralty prisoners, when required, and to administer the Sacrament to such as are inclined to receive it. The debtors on the common side, and the Admiralty prisoners, are at all times to attend the chapel, unless in case of illness, or other sufficient cause is shewn for their absence.

8. That the surgeon do visit the prison once a day, if necessary, or oftener, if required; and report when it is proper to remove sick persons into the infirmaries. He is also to keep a diary of their complaints, and the progress they make to convalescence and recovery; and he is on every court day to prepare a weekly statement of his patients, and their complaints, for the inspection of the Judge or Judges of the said courts, and to sign the same with his own name. No fee or reward to be taken by him or his assistants for extra attendance or otherwise.

9. That no filth or rubbish of any kind be thrown about the yards of this prison, or any other nuisance or dilapidations be committed on any of the walls or staircases of the prisoners' rooms, and that the dust-bin be emptied once a week in summer at least, and the privies as often as required.

10th and lastly.—That all strangers, visitors, and others, who shall be found behaving themselves improperly, such as fighting with or assaulting any prisoner, or intending to create a riot or disturbance in the said prison, shall be locked out, and not be admitted into the interior thereof, till satisfactory assurances are given for their better conduct in future.

The above, with all other returns ordered, is most humbly submitted to this honourable Committee, by

Wm Jenkins, Dep. Marshal.

PALACE COURT.

178. AN ACCOUNT of Fees payable to the Deputy Marshal.

	£.	s.	d.
For every arrest on mesne process	0	0	3
For every bail in court	0	0	1
For every trial	0	1	0

Those fees are received by the prothonotary, and by him paid over to the deputy marshal.

Nov. 30th, 1816. *J. C. Hewlett*, Dep. to the Prothonotary.

PALACE COURT.

179.

5th July 1793.

Allen *v.* Harris. } Ordered, by consent of the plaintiff's attorney, That the knight marshal or keeper of the prison do have two months to re-take the defendant in this cause, or pay unto the plaintiff the debt and costs; as also the costs of this application.

Examined with the original, By the Court.
Nov. 30th, 1816.

J. C. Hewlett, Dep^{y} to the Prothonotary.

180.

BOND from a Bearer of the Verge.

KNOW all men by these presents, That we, Norman Cutler, of No. 40, Lambeth-road, in the parish of Saint George the Martyr, in the county of Surrey, leather-dresser; Thomas Hare, of Lambeth-road, in the said parish and county, chair-maker; George Bowdry of the Crescent, Lambeth-road, in the said parish and county, melter; Stephen Pell, of Seymour-place, Walworth, in the parish of Saint Mary Newington, in the said county of Surrey, gentleman; and Thomas Burton, of No. 14, Tiverton-row, Newington Causeway, in the parish of Saint Mary, Newington, in the county aforesaid, Lapland rug manufacturer, are held and firmly bound unto Sir James Bland Burgess, baronet, marshal of the King's household, in the penal sum of one thousand pounds of good and lawful money of Great Britain, to be paid to the said Sir James Bland Burgess, or his certain attorney, his executors or administrators; to which said payment, well and truly to be made, we bind ourselves, each and every one of us, by himself, our heirs, executors and administrators, firmly by these Presents, sealed with our seals. Dated the fourteenth day of December, in the year of our Lord one thousand eight hundred and fourteen.

The condition of this obligation is such, that whereas the above bounden Norman Cutler is admitted by the said Sir James Bland Burgess, baronet, Marshal, and one of the Judges of the Court of the King's Palace of Westminster, to be one of the bearers of the verges of the household of our Sovereign Lord the King, and one of the officers and ministers of the Court of our Sovereign Lord the King, and of the King's Palace of Westminster during the will and pleasure of the said Sir James Bland Burgess. If therefore the said Norman Cutler, and his followers for the time being, do and shall from time to time, and at all times hereafter, during the continuance of the said Norman Cutler in the said place or office, well and faithfully and honestly behave themselves in the same place or office, in all things according to the duty of the same place or office; and therein the said Norman Cutler do and shall faithfully and honestly serve and execute all such writs, process or warrants issued out of the said Court, as shall be delivered unto him, to be executed by him according to his utmost power; and shall make a due and true return thereof in all cases where a return thereof is required by law, and do and shall, upon every arrest by the said Norman Cutler to be made, take sufficient bail of able persons within the jurisdiction of the said Court, where the party arrested is by law bailable, for the appearance of the party so arrested at the next Court of the said Palace of Westminster after such arrest made, and do and shall duly and truly return and deliver into the said Court the said bail-bond thereupon so taken, at the next Court-day after such arrest made as aforesaid. And further, if the said Norman Cutler, after any arrest by him to be made by force or virtue of any writ, process or execution issuing out of the said Court, do not detain the party so arrested in his custody above the space of twenty-four hours from the time of such arrest made, but, as well in case of mesne process where no sufficient bail can be given as aforesaid, as in case of execution, do presently after the said twenty-four hours carry or convey the party so arrested to the prison of the said Court, according to law, and not any way directly or indirectly give or cause to be given any notice to the party against whom such process or execution is awarded, whereby the arrest may be avoided or retarded, and that the said Norman Cutler shall not at any time hereafter deliver or suffer any goods or chattels to be taken out of his possession, which shall be seized or taken in execution by him alone or together with any other of the officers or bearers of the verges of the said court, or which shall be delivered or left in the hands or custody of him the said Norman Cutler by the said Sir James Bland Burgess, or the steward or prothonotary of the said Court or his or their deputies, without a lawful and sufficient warrant for the delivery of the same, but shall make a just true and perfect inventory of all such goods by him so seized, or which shall come to his hands within the space of twenty-four hours after the same shall be seized or come to his hands as aforesaid, and shall cause the same to be appraised by two appraisers, one of them to be appointed by the said Sir James Bland Burgess; and shall, so soon as conveniently may be after such appraisement made, deliver a copy thereof, signed by the said Norman Cutler, to the said Sir James Bland Burgess, or return the same into the public office of the prothonotary of the said Court; and likewise shall and will, when and so often as any goods or chattels by him so seized or taken are sold, (if the money for which such goods or chattels shall be sold shall come to the hands, custody, or possession of the said Norman Cutler) forthwith pay, or cause to be paid, unto the said Sir James Bland Burgess, or the steward or prothonotary of the said Court, or his or their deputies, or some or one of them, at the public office of the said Court, all such sum and sums of money for which the same shall be sold: That the said Norman Cutler shall not remove any goods or chattels which at any time or times hereafter, during his continuance in the office aforesaid, he may seize or take in execution within the jurisdiction of the said Court, from the place where such goods and chattels shall be so seized or taken in execution, before the rent (if any) due shall be paid to the landlord or landlords of the premises whereon any such goods or chattels shall have been seized or taken in execution, pursuant to the statute in that case made and provided, and shall, from time to time, make a just account and due payment at the next court day after the arrest made, of all such fees as belong to the said Sir James Bland Burgess, and shall, from time to time, do and execute all other things, writs, warrants and process as shall be delivered to him, and which to his place or office belong to be done and executed,

Accounts, &c. relating to the Marshalsea Prison.

and shall not at any time hereafter employ as his follower any person or persons who shall have been an officer of the said Court, or shall have left or been put out of his said office in the said Court; nor shall at any time hereafter serve and execute any other process or warrant except the process of the said Court, and do and shall also save and keep harmless the said Sir James Bland Burgess, and the steward, and all and every other judge and judges of the said Court, and their and every of their heirs, executors and administrators, of and from all matters and things by the said Norman Cutler, to be done, omitted, committed or suffered, for or by reason of not executing or not due executing of any writ, process or warrant to him delivered; and also do and shall from time to time save and keep harmless the said Sir James Bland Burgess, and the keeper of the prison of the said Court, and his and their heirs, executors and administrators, from all damage, loss and danger which may happen or grow to him or them by reason of such not executing or not due executing of any writ, process or warrant as aforesaid; and also if the said Norman Cutler do and shall from time to time and at all times hereafter observe, perform and obey all the lawful order and orders, rule and rules of the said Sir James Bland Burgess, or any other judge or judges of the said Court, touching and concerning himself or his duty and behaviour in his place aforesaid, and do and shall shew and deliver a copy of the first clause mentioned and enacted in and by an Act of Parliament made in the thirty-second year of the reign of King George the Second, (intituled, "An Act for the relief of Debtors, with respect to the imprisonment of their Persons,") to every person whom he shall arrest or take into his custody by virtue of any writ, warrant or process, and carry or cause to be carried to any public or other house, and permit him or her, or any friend of theirs to read the same, before any meat or liquor shall be there called for; and also do and shall well, faithfully and honestly observe, perform and execute the several directions prescribed in the said Act of Parliament, and all other maters and things which according to his duty or office he ought to observe, perform and execute, without fraud, oppression or wrong to any person or persons whatsoever. Then this present obligation to be void and of none effect, or else to remain in full force and virtue.

Received (on the day of these presents) of the clerk of the Security Bonds, a printed copy of the clause of the act of parliament within mentioned, per me,
NORMAN CUTLER.
Witness, *J. C. Hewlett.*

NORMAN CUTLER, (L. S.)
THOMAS HARE, (L. S.)
GEORGE BOWDERY, (L. S.)
STEPHEN PELL, (L. S.)
THOMAS BURTON, (L. S.)

Signed, sealed and delivered
(being first duly stamped)
in the presence of
J. C. Hewlett,
Palace Court Office, Chancery-lane.

Examined with the original Bond, January 20th, 1817.
J. C. Hewlett,
Deputy Prothonotary.

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181. CERTIFICATE upon which a Bearer of the Verge is appointed.

TO Sir James Bland Burgess, baronet, Marshal of His Majesty's most honourable Household, and one of the Judges of the Court of the Lord the King of the Palace of the King at Westminster:

WE, whose names are hereunto subscribed, being the minister, churchwardens, overseers, and other of the inhabitants of the parish of Saint George the Martyr, in the borough of Southwark, in the county of Surrey, do humbly certify, that Norman Cutler, of No. 40, Lambeth-road in the said parish and county, leather-dresser, is an housekeeper in the said parish, bears a good name and character amongst his neighbours, and is well affected to His present Majesty and his government; and we believe him to be a fit man, and as such do recommend him to your honour, to be an officer of the said court. Dated this twenty-first day of September one thousand eight hundred and fourteen.

Examined with the Original, January 20th, 1817.
J. C. Hewlett.

Inhabitants. Joshua Smith, John Haddon, Alfred-place, John Simpson, ditto, John Clarke, Elliot's-row, Rich[d] Turner Lower-road, John Batchelor, John W[m] Sandback, W[m] Bromley, John Whissell, John Smith, W[m] Bentley,	J. A. Lincoln - - -	Minister.
	Jos. Meymott - -	Churchwardens.
	Abr[m] Putley - -	
	B. Brett - - - -	Overseers
	Geo. Weatherstone	

Witness to the above signatures,
J. Close.

This Certificate to be returned to me on or before the thirtieth September next.

J. C. Hewlett,
Clerk of the Securities to the Knight Marshal,
Chancery-lane.

Palace Court Office.

APPOINTMENT of a Bearer of the Verge.

182. KNOW all men by these presents, That I, Sir James Bland Burgess, of Beauport in the county of Sussex, baronet, Marshal of His Majesty's most honourable Household, and one of the Judges of the Court of the Lord the King of the Palace of the King at Westminster, for divers good causes and considerations me hereunto moving, have nominated, constituted and admitted, and by these presents do nominate, constitute and admit Norman Cutler, of No. 40, Lambeth-road, in the parish of Saint George the Martyr, in the county of Surrey, leather-dresser, to be one of the Bearers of the Verges of the said Household, and an officer and minister of the said Court of the Lord the King of the Palace of the King at Westminster, during my free will and pleasure, to execute the orders, writs and processes issuing out of the said Court, and to have, receive and take all fees, wages, rewards, profits, advantages and emoluments whatsoever to the said office belonging or in anywise appertaining. In witness whereof, I, the said Sir James Bland Burgess, have hereunto set my hand and seal, this seventeenth day of November, in the year of our Lord one thousand eight hundred and fourteen.

Signed, sealed and delivered, in the presence of
J. C. Hewlett,
Clerk of the Securities to the Knight Marshal.

J. B. BURGESS, K. M. (L. S.)

Examined with the Original, January 20th, 1817.
J. C. Hewlett,
Palace Court Office, Chancery-lane.

PALACE COURT.

EXTRACTS of the LETTERS PATENT of Charles the Second, relating to the Prison, the Under Marshal, and Bearers of the Verge. 183.

AND that hereafter there shall be one prison or gaol, in some convenient place within twelve miles from our said Palace of Westminster, and within the jurisdiction of the Court aforesaid, for the keeping, detaining, and safe custody of all and singular persons within the precincts or jurisdiction of the Court aforesaid, attached or to be attached, for whatever cause, which shall happen to be taken cognizance of, or begun in the Court aforesaid, there to be detained until discharged in a legal manner: We will also, and by these presents do grant, ordain and appoint, for us, our heirs and successors, that there shall always be in the Court of our Lord the King of the Palace of the King at Westminster aforesaid, an Under Marshal of the Court aforesaid, who shall have the custody of the prison or gaol aforesaid, and of the prisoners therein.

And also, We give and grant for us, our heirs and successors, to the Marshal of the Household of us, our heirs and successors for the time being, full power and authority of nominating, ordaining, constituting and admitting one other person to be the Sub-marshal of the aforesaid Court, and keeper of the prison of the aforesaid Court, and one other fit person to be turnkey of the same prison.

We will moreover, and by these presents, for us, our heirs and successors, do grant, ordain and constitute, that there shall be for ever in the said Court of the Lord the King of the Palace of the King at Westminster, certain officers and ministers for the executing orders, writs and processes issuing out of the said Court of the Lord the King of the Palace of the King at Westminster, who shall be and be called Carriers of the Rods of the Household of the Lord the King: We further give, and by these presents, for us, our heirs and successors, do grant to the Marshal of the Household of us, our heirs and successors, and to every Marshal of the same Household for the time being, and by the tenor of these presents We will, that they respectively have full power and authority of successively naming, constituting and admitting from time to time, certain carriers of the rods of the Household aforesaid, to be officers and ministers of the aforesaid Court of the Lord the King of the Palace of the King at Westminster, for executing mandates, writs and process issuing out of the aforesaid Court of the Lord the King of the Palace of the King at Westminster: We will also, that at all times hereafter there shall be twenty such ministers of the Court aforesaid, for the executing of mandates, writs and process issuing out of the said Court, or more, at the discretion of the Marshal of the Household aforesaid for the time being; and that every such carriers of the rods, before he shall be admitted to execute that office, shall take a corporal oath upon the holy evangelists of God, before the steward of the Court aforesaid for the time being, or his deputy, to behave himself well in his office.

And

And that the same carriers of the rods aforesaid, so from time to time named, admitted and sworn into the office of officers, and ministers of the Court aforesaid, may have and execute, and each of them may have and exercise the aforesaid offices and places at the will of the said Marshal for the time being.

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184. PALACE COURT, 7th August 1741.

To the Prothonotary of the Palace Court, or his Deputy.

THIS is to signify to you, or either of you, that James Calf is no longer to execute process out of the Palace Court till Mr. Periam Wright, whom I trust to examine into the nature and validity of each of the officer's securities, be satisfied with the said James Calf's security.

(Signed) *P. Medows*, August 12th, 1741,
was then Knight Marshal.

16th October 1741.

185. Meales *against* Marcomb. } ORDERED, That Periam Wright, gentleman, clerk of the securities of the officers, on behalf of the knight marshal, pay the plaintiff his debt and costs before the next court.

Examined with the original entry,
January 20th 1817.
J. C. Hewlett, Deputy Prothonotary.

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186. COPY GRANT of the office of Deputy Marshal and Keeper of the Prison of the Marshalsea.

TO all christian people to whom these presents shall come: The honourable Sir James Bland Burgess, of Lower Brook-street in the county of Middlesex, baronet, Knight Marshal of His Majesty's most honourable Household, and Marshal of the Marshalsea thereof, also one of the Judges of the Court of the King's Palace of Westminster, sendeth greeting. Know ye, That I, the said Sir James Bland Burgess, by virtue of the powers and authority to me given in and by His Majesty's royal letters patent under the great seal of England, much trusting to the integrity, discretion and provident circumspection of John Cruchley, of Ebury Place, Chelsea, in the county of Middlesex, gentleman, and for divers other good causes and considerations me hereunto especially moving, have given and granted, and by these presents do give and grant unto the said John Cruchley the office of Deputy Marshal of the Marshalsea of the said Household, and keeper of the prison of the Court aforesaid and of the prisoners therein, (being vacant by the death of William Jenkins) with full power and authority to do and execute all things which to the office of the keeper of the prison of the aforesaid Court appertain to be done, together with all and singular the fees, wages, salary, rewards, profits, advantages and emoluments whatsoever to the said office belonging or in anywise appertaining; to have, hold and enjoy the said office for and during the term of his natural life, if he shall so long well demean and behave himself, with all and singular the fees, wages, rewards, profits, advantages and emoluments whatsoever to the said office belonging or in anywise appertaining, in as ample a manner and form as any other or others have held, enjoyed, occupied or received, or of right ought to have, hold or receive in the said office: In witness whereof, I, the said Sir James Bland Burgess, have hereunto set my hand and seal this thirteenth day of March, in the year of our Lord one thousand eight hundred and sixteen, and in the fifty-sixth year of the reign of our Sovereign Lord King George the Third, by the grace of God of the United Kingdom of Great Britain and Ireland.

J. B. BURGESS, K. M. (L. S.)

Signed, sealed and delivered by the within named Sir James Bland Burgess, in the presence of us,

William Ely, *Thomas Newing*, } Servants to Sir J. B. Burgess.

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187. COPY GRANT of Office of Under Marshal and Keeper of the Prison of the Palace Court.

TO all christian people to whom these presents shall come: The honourable Sir James Bland Burgess, of Lower Brook-street, in the county of Middlesex, baronet, Knight Marshal of His Majesty's most honourable Household, and of the Marshalsea thereof, also one

Accounts, &c relating to the Marshalsea Prison.

one of the judges of the Court of the King's palace of Westminster, sendeth greeting: Know ye, That I, the said Sir James Bland Burgess, by virtue of the powers and authority to me given in and by His Majesty's royal letters patent, under the great seal of England, much trusting to the integrity, discretion, and provident circumspection of John Cruchley, of Ebury-place, Chelsea, in the county of Middlesex, gentleman, and for divers other good causes and considerations me hereunto especially moving, have given and granted, and by these presents do give and grant unto the said John Cruchley the office of Under Marshal of the Court of the Lord the King of the King's Palace at Westminster, and Keeper of the prison of the Court aforesaid, and of the prisoners therein being, (vacant by the death of William Jenkins,) with full power and authority to do and execute all things which to the office of the keeper of the prison of the aforesaid Court appertain to be done, together with all and singular the fees, wages, salary, rewards, profits, advantages, and emoluments whatsoever to the said office belonging or in anywise appertaining, to have, hold, and enjoy, the said office for and during the term of his natural life, if he shall so long well demean and behave himself, with all and singular the fees, wages, rewards, profits, advantages, and emoluments whatsoever to the said office belonging or in anywise appertaining, in as ample manner and form as any other or others have held, enjoyed, occupied, or received, or of right ought to have, hold, or receive in the said office. In witness whereof, I the said Sir James Bland Burgess have hereunto set my hand and seal the thirteenth day of March, in the year of our Lord one thousand eight hundred and sixteen, and in the fifty-sixth year of the reign of our Sovereign Lord King George the Third, by the grace of God of the United Kingdom of Great Britain and Ireland.

J. B. BURGESS, K.M. (L. S.)

Signed, sealed, and delivered by the within named Sir James Bland Burgess, in the presence of us,

William Ely,
Thomas Newing, } Servants to Sir J. B. Burgess.

A RETURN of the Number of Prisoners in His Majesty's Prison of the Marshalsea and Palace Courts, between March one thousand eight hundred and sixteen, and January one thousand eight hundred and eighteen; distinguishing Males from Females, and Admiralty Prisoners. 188.

DATES.	Males.	Females.	Admiralty Prisoners.	Total.
March 22d, 1816 - - - -	85	5	10	100
July 12th - - - - -	93	6	5	104
November 6th - - - -	111	12	2	125
March 21st, 1817 - - - -	93	8	—	101
July 25th - - - - -	88	5	3	96
October 10th - - - -	110	12	4	126
January 6th, 1818 - - - -	90	13	3	106

January 6th, 1818. *John Cruchley,* Dep. Marshal.

APPOINTMENT of the Surgeon to the Marshalsea Prison. 189.

TO all christian people to whom these presents shall come: The honourable Sir James Bland Burgess, of Beauport in the county of Sussex, Baronet, Knight Marshal of His Majesty's most honourable Household, and one of the Judges of the Court of the King's Palace at Westminster, sendeth greeting: Know ye, That I, the said Sir James Bland Burgess, much trusting in the integrity, discretion and prudent circumspection of Charles Phillips, of Union-street, Southwark, in the county of Surrey, surgeon, and for divers other good causes and considerations me hereunto especially moving, have given and granted, and by these presents do give and grant unto the said Charles Phillips, the office of surgeon of the Court of the Marshalsea of the said Household, and of the prison thereunto belonging of our Sovereign Lord the King, his heirs and successors, and of the prison of the Court of the King's Palace of Westminster, vacant by the surrender of Richard Saumarez, esquire, together with all and singular the fees, wages, salary, rewards, profits, advantages and emoluments whatsoever to the said office or place belonging or in anywise appertaining, to have, hold and enjoy the said office from the ninth day of November one thousand eight hundred and five, for and during the term of his natural life, if he the said

Accounts, &c. relating to the Marshalsea Prison.

Charles Phillips shall well demean and behave himself in the said office, with all and singular the fees, wages, salary, rewards, profits, advantages and emoluments whatsoever to the said office or place belonging or in anywise appertaining, in as ample manner and form as any other or others have heretofore had, held, enjoyed, occupied or received, or of right ought to have, hold, enjoy, occupy or receive in the said office. In witness whereof, I have hereunto set my hand and seal, the second day of September, in the year of our Lord one thousand eight hundred and eleven.

(Signed) J. B. BURGESS, K. M.

I hereby declare the above to be an exact and faithful Copy,

Charles Phillips.

RETURNS delivered upon Oath relating to the KING'S BENCH PRISON.

Michaelmas, 3d George II. 1729.

190. IT is Ordered by the Court, That for the time to come, the several orders or rules hereunder wrote and established, pursuant to an act of parliament made and published in the 2d year of the reign of our Lord George the Second, now King of Great Britain, &c. intituled, " An " Act for the relief of Debtors with respect to the imprisonment of their Persons," be well, strictly and truly observed and kept, as well by the marshal of this Court, and all his officers and servants, as by all prisoners who now are, or at any time hereafter shall be committed to the custody of the said marshal.

And it is further Ordered, That this Rule, with the aforesaid Orders or Rules here following and wrote, be fixed in the most public place within the prison of this court, commonly called the King's Bench Prison, for the use, benefit and inspection of the prisoners within the aforesaid prison.

By the Court.

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191. ## RULES AND ORDERS

For the better government of the King's Bench Prison, made and signed the twenty-fifth of November one thousand seven hundred and twenty-nine.

1. THAT the marshal of the Marshalsea of this court do cause a pair of stocks to be kept up in the prison (as has been anciently practised) for the punishment of such prisoners as shall blaspheme the name of God, be guilty of swearing, or behave themselves in a disorderly manner.

2. That the said marshal be and he is hereby strictly enjoined not to make use of any illegal means of confinement of any prisoner in his custody, upon any pretence whatsoever, nor to confine any prisoner in the hole or room commonly called the Strong Room, or any other unusual place of restraint, nor make use of any other extraordinary means or method for the confinement of any prisoner, unless such prisoner shall have been found actually attempting or endeavouring to break the prison, with an intent to escape out of the custody of the said marshal, and every prisoner so confined shall have liberty to appeal to this Court in term time, or to the Lord Chief Justice, or to any other judge of the said Court in time of vacation for redress.

3. That the said marshal do not presume to sue, or procure to be sued out any writ of habeas corpus, to remove any prisoner from the prison of the King's Bench to the prison of the Fleet.

4. That the said marshal do not presume to turn any prisoner back from the common side to the master's side without reasonable cause, giving such prisoner three days notice of such his intention to remove him, during which time the said prisoner shall have liberty to appeal to any judge of this Court against such intended removal, in order to prevent the same, pending which appeal the said prisoner shall be allowed his daily subsistence as before; and in the mean time his share of all dividends and other advantages shall be reserved till such appeal shall be determined.

5. That in case any prisoner die within the said prison, that the said marshal shall forthwith give notice to the coroner, in order that he may inquire according to law how such prisoner came by his death.

6. That the said marshal do take effectual care that no garnish or other exaction be extorted from any prisoner or prisoners under his custody, and do also take proper care

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that no prisoner or prisoners be deprived of his or their shares, dues and dividends, on any pretence whatsoever.

7. That the said marshal do take effectual care that all and every prisoner and prisoners detained in the King's Bench prison, be permitted and suffered, at his her and their will and pleasure, to send for and have any beer, ale, victuals, or other necessary food from what place they please, and also to have and use such bedding, linen and other things, as he she or they shall think fit, without purloining or detaining the same, or any part thereof, or enforcing or requiring him her or them to pay for the having or using thereof, or putting any manner of restraint or difficulty upon him her or them in using thereof or relating thereto, pursuant to the several statutes in that case made and provided.

8. That the said marshal do cause a table of fees, as the same shall be settled and confirmed in pursuance of an act of parliament made in the second year of His present Majesty's reign, intituled "An Act for Relief of Debtors, with respect to the imprisonment of "their persons," and also a table of these rules, together with a list or table of all gifts, legacies and bequests, for the benefit of the prisoners in the said prison, fairly written in a plain legible hand, to be hung up in some open and public room or place in the said prison, there to remain and be resorted to by every prisoner, as occasion shall require, without fee or reward, pursuant to the directions of the said Act.

9. That the said marshal do use his utmost endeavours, by all fair and legal methods, to prevent escapes, and that he and all officers under him do treat the several prisoners under his care with the utmost tenderness and humanity, as far as can be consistent with the safe custody of such prisoners; and that neither the said marshal, nor any officer or servant employed by him, do demand, take or receive, directly or indirectly, of any prisoner or prisoners for debt, any other or greater fee or fees whatsoever, for his, her or their commitment, chamber rent, release or discharge, than what shall be mentioned and allowed in such list or table of fees so to be hung up as aforesaid.

10. That the turnkeys of the said prison do diligently attend at the gate or door of the said prison, as the duty of their office requires, and do admit all such persons to have access to any of the prisoners, as by law are entitled thereto.

11. That no cellarman, turnkey or other officer or servant of the marshal whatsoever, shall have or pretend to have any share or part in the charities belonging to the prisoners, or bear any office in the said prison, which may entitle him to any power in the disposition or receipt of the said charities.

12. That the chapel be continued in the prison aforesaid and kept in good repair, and that the chaplain do constantly attend and perform divine service, and administer the sacraments there, at usual and proper times, according to the rites and ceremonies of the church of England.

13. That no prisoner wrong or abuse another, upon pain of being punished, by setting him in the stocks for such time as the marshal of this court, with the consent of the steward and assistants, or any two of them, shall think proper.

14. That the room, commonly called the dining room, be reserved and kept in good repair for the use and benefit of the prisoners, for the exercise of devotion or for conversation, and that a fire be kept therein as often as the rigour of the season shall require; and that the two rooms under the dining room be reserved for the use of such prisoners as shall be afflicted with any disease or other infirmity that may require such accommodation.

15. That every prisoner who shall make oath before one of the judges of this Court, or a commissioner empowered by this Court, or one of the justices of the peace for the county of Surrey, that he or she cannot command five pounds, and cannot subsist without the assistance of the charities belonging to the common side, shall immediately be admitted to the said common side, and be capable of being elected into all offices, and entitled to all shares, dividends and profits belonging to the same.

16. That no person committed for any criminal matter shall have any vote or suffrage in the electing a steward or other officer of the common side, nor shall receive any share of the charities belonging to the said prison, other than his share of such profits and advantages as shall arise from the baskets.

17. That every prisoner shall be admitted to lodge in a cabin within the respective ward to which he or she shall belong, without fee or reward.

18. That every prisoner shall be capable of being chosen in his turn an assistant, and be entitled to such allowance and other advantages which, by the usage of the said prison, such assistants have heretofore usually received and enjoyed.

19. That the seal belonging to the common side of the said prison be kept by the master of the King's Bench office (as of late it hath been), and that the said seal be not affixed to any receipt or other instrument till the same be approved and signed by the marshal, with the consent of the prisoners of the said common side, signified under the hand of their steward and assistants.

20. That

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20. That if any prisoner of the common side of the said prison be charged with one action only, and such action be supersedeable, that the same be superseded with the money belonging to the prisoners of the said common side by their consent, signified under the hands of their steward and assistants, and signed by the marshal; but in case any such prisoner be charged with more than one action, such actions shall not be superseded with the money belonging to the said prisoners, unless an order for that purpose be obtained upon application to this court in term time, or to the lord chief justice, or one other of the judges of this court in vacation; and that no clerk to any of the judges of this court shall demand or take any fee or reward on account of superseding any such action or actions with the said prisoners money, or for any matter or thing relating thereunto.

21. That particular care be taken of all prisoners of the common side who at any time shall happen to be sick; and that all proper necessaries shall be provided for them by the steward and assistants, and they be reimbursed out of the first county money.

22. That whatsoever debts are reasonably contracted by the steward and assistants, with the concurrence of the marshal and the master of the King's Bench office, for the necessary support of the poor prisoners, the same shall be entered by the steward and assistants for the time being in their house books, and be paid out of the next dividend.

23. That no money shall be allowed to the steward and assistants on pretence of their sitting on house business, or adjusting differences between prisoner and prisoner.

24. That any prisoner that comes into the said prison after the first day of Easter Term, shall have but one quarter of Midsummer dividend.

25. That all the money brought to the prison by the basket-men and their boxes, as also such money as is brought for the prisoners' use and relief by the boxes which come in at Christmas, Easter and Whitsuntide, be immediately divided to each prisoner in due shares and proportions, making the basket-men such reasonable satisfaction for their trouble as hath been heretofore usually allowed.

26. That in case the said marshal, in aid of the said steward and assistants, shall advance any money for superseding any action or actions against any prisoner or prisoners, as is hereinbefore directed, the said marshal shall stand in the place of the said steward and assistants, and be accordingly reimbursed out of the next county money.

27. That the prisoners of the common side have a full power to make a free and open election of a steward every year, and that no prisoner who hath the liberty of the rules, or liberty to go out of the walls of the said prison, shall have any vote in the election of such steward, or of any other officer of the common side of the said prison; and that such steward so elected shall continue in the said office for the space of one year, unless removed upon application made to the said court in term time, or in time of vacation to one of the judges thereof.

28. That the steward of the common side of the King's Bench prison do keep a book or register, wherein shall be entered a copy of the table of fees hereinbefore directed to be hung up in the prison, together with a copy of these rules and orders, and also a list of the several charities belonging to the said prison, for the use of the prisoners; and that every prisoner have liberty at all convenient times to inspect the said book, and also the steward's accounts.

29. That if any prisoner be wronged or abused by the steward and assistants of any of his or her rights and dues, that he or she complaining to the court in term time, or in time of vacation, to the Lord Chief Justice, or to any of the judges of the court, or to the marshal of the said court, shall (provided they prove the cause of their complaints to be true) have a reasonable allowance made them for their costs and charges upon the said complaints, to be paid out of the next dividends belonging to the steward and assistants, or such of them who shall appear to have wronged such person complaining; or if the complaint prove groundless, that the person complaining do in like manner make satisfaction for such groundless complaint out of his share of the next dividends.

30. That if any of the assistants, or the steward, shall mispend or waste, or by any ways or means lavishly consume the house-money, that the next assistants, or any succeeding them, may call the former to account for the same; and upon plain proof of the aforesaid mis-spent money, cause all the dividend or dividends, as well at the grate or otherwise, to be taken, stopped, and kept for reparation of the injury done to the prisoners in general, and to be put into the house-box, until equally divided to each prisoner in their due shares and proportions.

31. That the steward and assistants do cause these orders to be read every third Monday at the first basket, being the usual day for choosing the officers and settling the house accounts.

32. That the marshal of this court, and all his officers and servants, and all prisoners within the said prison, do strictly and punctually observe and keep the several rules, orders, and directions hereinbefore mentioned, under pain of incurring the utmost punishment that by law can be justly inflicted upon them respectively.

33. Lastly,

33. Lastly, It is hereby strictly ordered and enjoined, that no clerk, officer, or servant whatsoever, belonging to any judge of this court, shall directly or indirectly demand, receive, or take any gratuity, fee or reward whatsoever, for or by reason of any petition, complaint or application that shall be made to any judge of this court by any prisoner or prisoners of the said prison, pursuant to or founded upon any of the rules and orders hereinbefore mentioned. Returns, &c. relating to the King's Bench Prison.

R. Raymond. Ja. Reynolds. E. Probyn.

Further RULES and ORDERS for the government of the King's Bench Prison, made and signed the tenth day of May one thousand seven hundred and fifty-nine, by the Lord Chief Justice and Judges of His Majesty's Court of King's Bench, whose Names are hereunto subscribed. 192.

1. THAT the marshal take order from time to time, that no person coming to the said prison do carry any pistol, sword or other weapon into the same.

2. That if any prisoner on the master's side shall presume to extort garnish or other exactions from any prisoner, in violation of former orders in that behalf, such offender shall (at the discretion of the marshal) be turned over to the common side, for any time not exceeding one calendar month; and if any prisoner on the common side shall offend in like manner, he shall (at the discretion of the marshal) be excluded from all shares, dividends, profits or right, belonging to the prisoners on the common side, other than the share arising from the baskets, for any time not exceeding a fortnight.

3. That the marshal take care that the doors, opening into the great garden, be locked up every evening as soon as it shall grow dark; and the other doors leading to the wards of the said prison, at nine o'clock every night.

4. That no prisoner take possession of any chamber within the said prison, without the consent of the marshal, or pull down any partition, or make any other material alteration therein without the like consent; and that the disposal and appointment of the chambers or rooms within the said prison, be in the marshal only (except so as not to turn any prisoner out of possession who shall be rightfully possessed of a chamber without reasonable cause;) and that every prisoner on his or her discharge, deliver over to the marshal or his chamberlain, the key of his room or chamber, and all the marshal's furniture therein.

5. That if any prisoner on the master's side, shall refuse or neglect to pay his chamber rent for the space of one month, it shall be lawful for the marshal to turn such prisoner over to the common side, till the arrears of such rent be paid; and in such case the marshal shall cause an inventory to be made of the prisoner's goods and effects (if any) signed by two witnesses, and shall immediately deliver such goods and effects to such prisoner; and that the marshal may detain the person of any prisoner, though discharged by the plaintiff, until his (the prisoner's) fees and arrears of chamber rent, not exceeding one month, shall be paid and satisfied.

6. That no prisoner or other person shall, within the said prison, sell any victuals, wine, beer, ale, or other liquors, without the marshal's leave; and if any prisoner or prisoners shall offend in the premises, it shall be lawful for the marshal to turn him, her, or them over to the common side, for any term not exceeding one calendar month; and the marshal is hereby required to take care that good order be kept by all persons selling by leave, as aforesaid.

7. That the great room on the common side be reserved and kept in good repair, for the use and benefit of the prisoners for exercise and conversation, and that a fire be kept therein as often as the rigour of the season shall require; and that the two rooms over the same be reserved for such prisoners as shall be afflicted with any disease or other infirmity, that may require such an accommodation.

8. That no person turned over to the common side for any of the offences aforesaid, or for nonpayment of chamber-rent shall (during the time he shall remain there,) be entitled to any share, dividend, or profit, other than the share of the baskets, or be capable of bearing any office, or of voting in the choice of any officer belonging to the common-side, unless he shall become duly qualified for the same, according to the usage of the said prison, and the former rules made in that behalf.

9. That these Rules, together with the former Orders and Rules for the government of the said prison, be fixed in the most public places thereof, for the use and inspection of the prisoners therein.

(Signed) MANSFIELD.
M. FORSTER.
T. DENNISON.
E. WILMOT.

Returns, &c. relating to the King's Bench Prison.

A further RULE and ORDER for the better government of the King's Bench Prison, made and signed the nineteenth day of May one thousand seven hundred and sixty, by the Lord Chief Justice and Judges of His Majesty's Court of King's Bench, whose names are hereunto subscribed.

193. THAT as well for the safe custody of the prisoners within the said prison, and preservation of good order within the said prison, as for the punishment of such prisoners as shall be guilty of any misdemeanors within the said prison,—It is hereby ordered, That in case any prisoner or prisoners in custody of the marshal of the said prison, shall escape or attempt to escape out of the said prison, or shall be aiding, abetting or assisting any prisoner or prisoners to make their escape out of the said prison, or shall sell or expose to sale, or procure to be brought into the said prison for sale, any victuals, wine or beer, ale or other liquors, without the leave of the said marshal; or shall injure, assault or abuse any other prisoner or prisoners, or other person or persons coming to the said prison on their lawful occasions, or shall blaspheme the name of God, or be guilty of swearing or behaving themselves in a riotous or disorderly manner in the said prison, or contrary to the rules and orders already made for the better government of the said prision; that then, and in any of the said cases, it shall and may be lawful for the marshal of the said prison for the time being, to remove all or any such prisoner or prisoners so offending in any of the matters aforesaid, to the gaol for the county of Surrey in the Borough of Southwark, or to the prison of the Marshalsea there, or to the Bridewell within the said borough, at the discretion of the said marshal, for such time as the said marshal shall adjudge and think adequate to the offence or offences for which such prisoner or prisoners shall be so removed as aforesaid, not exceeding the space of one calendar month for the first offence; and if any of the said prisoners shall offend a second time in the premises, or in any of them, that then and in such cases, it shall and may be lawful for the said marshal to remove all or any such prisoner or prisoners so offending, to any of the above-mentioned prisons, at the discretion of the said marshal, for such time as the said marshal shall adjudge and think adequate for the said offence or offences, not exceeding the space of three months; and that this rule, together with the former rules and orders of this court made for the government of the said prison, be fixed in the most public place thereof, for the use and inpection of the prisoners therein.

(Signed) MANSFIELD,
M. FORSTER,
T. DENNISON,
E. WILMOT.

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194. A TABLE of FEES to be taken by the Marshal of the King's Bench Prison, in the county of Surry, for any prisoner or prisoners committed or coming in gaol, for chamber rent there, or discharged from thence, in any civil action; settled and established the sixteenth day of June, in the thirty-third year of the reign of His Majesty King George the Second, and in the year of our Lord one thousand seven hundred and sixty, pursuant to "An Act for the relief of Debtors with respect to the imprisonment of their Persons," *videlicet*,

	£.	s.	d.
1st.—To the marshal, for every prisoner committed on any civil action - -	0	4	8
2d.—To the turnkey on the master's side - - - - - - - -	0	1	6
3d.—To the marshal, on the discharge of every such prisoner - - -	0	7	4
4th.—To the deputy marshal, upon the discharge of one or more actions, executions, or other charge, and no further fee, be there never so many actions - - - - - - - - - - - - -	0	4	0
5th.—To the clerk of the papers, for the first action upon the discharge - -	0	3	0
6th.—To the clerk of the papers, for every action, execution, or other charge, to be paid on the discharge - - - - - - - -	0	0	4
7th.—To the deputy marshal, upon a commitment of the prisoner in court or at a judge's chambers, in any civil action, if carried to the King's Bench prison - - - - - - - - - - - -	0	1	0
8th.—To the clerk of the papers, for the same - - - - - - -	0	1	0
9th.—To the said deputy marshal, for a surrender in discharge of bail, be there never so many actions - - - - - - - -	0	1	0
10th.—To the clerk of the papers, for each action upon such surrender - -	0	0	6
11th.—To each of the four tipstaffs, two shillings and sixpence for each prisoner's commitment, by the court, and carried to the King's Bench prison, in the whole - - - - - - - - - - -	0	10	0

	£.	s.	d.
12th.—To the tipstaff that carries any prisoner committed at a judge's chambers to the said prison	0	6	0
13th.—To the marshal, for the use of chamber, bed, bedding and sheets for each prisoner, if provided by the gaoler, at the prisoner's request, for the first night, in the common side of the said prison	0	0	6
14th.—For the like use every night the prisoner remains in custody after the first	0	0	1½
15th.—And if two lie in a bed, one penny each	0	0	2
16th.—For the like use of every prisoner that goes on the master's-side, for the first night	0	0	6
17th.—For the like use, every night after the first	0	0	3
18th.—And if two lie in a bed, two-pence each	0	0	4
19th.—And if the prisoner finds his own bed, bedding and sheets (which the marshal is in no sort to hinder him of) then he shall pay for chamber rent to the marshal, per week	0	1	0

No other fee for the use of chamber, bed, bedding and sheets, or upon the commitmen or discharge of any prisoner on any civil action.

Thomas Howard.
Anthony Thomas Abdy.
William Hammond.

MANSFIELD.
T. PARKER.

An ACT for the further relief of Debtors with respect to the imprisonment of their Persons; and to oblige Debtors who shall continue in execution in prison beyond a certain time, and for Sums not exceeding what are mentioned in the Act, to make discovery of and deliver upon oath their Estates for their Creditors benefit. 195.

WHEREAS it may be reasonable to extend the benefits of an Act passed in the thirty-second year of the reign of his late Majesty King George the second, of glorious memory, intituled, "An Act for the relief of Debtors with respect to the imprisonment of their Per-"sons; and to oblige Debtors who shall continue in execution in Prison beyond a certain "time, and for Sums not exceeding what are mentioned in the Act, to make discovery "of, and deliver upon oath, their Estates for their Creditors benefit," to several persons who have neglected to take the benefit of the same, and also to several persons who were not entitled to any benefit under the said Act; Be it therefore enacted, by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That from and after the passing of this Act, every person now or hereafter in execution for any sum or sums of money not exceeding two hundred pounds, shall be entitled to such relief as by an Act passed in the thirty-second year of his late Majesty King George the second, intituled, "An Act for relief of Debtors with respect to the imprison-"ment of their Persons; and to oblige Debtors who shall continue in execution in Prison "beyond a certain time, and for Sums not exceeding what are mentioned in the Act, to "make discovery of, and deliver upon oath, their Estates for their Creditors benefit," is granted to persons charged in execution for any sum or sums of money not exceeding one hundred pounds.

2. And be it further enacted by the authority aforesaid, That every creditor or creditors, his, her, or their executors or administrators, at whose suit any debtor shall be charged in execution for any sum or sums not exceeding the sum of two hundred pounds, shall have such remedy by compelling such debtor to deliver up his or her estate and effects for the benefit of his or her creditors, as is provided by the before recited Act, in cases where the sum for which such debtor shall be in execution does not exceed the sum of one hundred pounds.

3. And whereas many persons are often committed on attachments for not paying money awarded to be paid under submissions to arbitration by rules of Court, or under submissions to arbitration bonds, and which submissions have been made rules of the Court, in pursuance of an Act passed in the ninth and tenth years of the reign of William the Third, for determining differences by arbitration, and likewise for not paying of costs duly and regularly taxed and allowed by the proper officer, after proper demands made for that purpose, and also upon any writ of *excommunicato capiendo*, or other process, for or grounded on the non-payment of costs or expenses, in any cause or proceeding in any Ecclesiastical Court; it is hereby declared and enacted, That all such persons are and shall be entitled to the benefit

of

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of this Act, and subject to the same terms and conditions as are herein expressed and declared with respect to prisoners for debt only.

4. And be it further enacted, That all gaolers and keepers of prisons are hereby directed and required to give notice of this Act to all persons in their custody for debt, within three days after such persons shall have been respectively committed or charged in execution, so as to make the same clearly and perfectly understood; and if any gaoler or keeper of a prison shall neglect to give such notice, according to the true intent and meaning of this Act, he shall forfeit and pay to any person who shall sue for the same the sum of fifty pounds, to be recovered by him or her by action of debt in any of His Majesty's Courts of Record at Westminster, wherein no essoign, protection, wager of law, privilege or imparlance, shall be admitted or allowed; and in every such action the proof shall lie on the person against whom the same shall be brought; provided, nevertheless, that such action shall be brought within six calendar months after the cause of action accrued.

5. And be it further enacted, That where any debtor as aforesaid shall have neglected to take the benefit of the said Act within the time limited by the said Act, and shall have remained in prison for the space of one year, and shall make it appear to the Court, out of which such execution issued, that such neglect arose from ignorance or mistake, such debtor shall then be entitled to take the benefit of the said Act, as if he or she had taken the same within the time by the said Act limited as aforesaid.

6. Provided always, That it shall be lawful for any creditor or creditors, at whose suit any debtor shall be so in execution as aforesaid, to file interrogatories for the examination of such prisoner, before his or her being admitted to take the benefit of this or the before recited Act;

7. Provided always, That this Act shall not extend to any debt or debts that may be owing to the Crown; nor shall it affect any proceedings which at any time may be lawfully had under or by virtue of any commission of bankrupt:

8. Provided also, that this Act, or any thing therein contained, shall not extend to that part of Great Britain called Scotland:

9. Provided also, that this Act shall continue and be in force for five years, and from thence to the end of the then next session of parliament, and no longer.

196.

SPIRITUOUS LIQUORS.

BY the 24th Geo. II. chap. 40, sect. 13, it is enacted, that no licence shall be granted for the retailing of spirituous liquors within any gaol, prison, house of correction, workhouse or house of entertainment, for any parish poor; and that all licences granted or to be granted contrary to this provision, shall be void and of no effect from and after the said first day of July one thousand seven hundred and fifty-one; and if any gaoler, keeper or officer of any gaol, prison or house of correction, or any governor, master or officer of any workhouse, or house for the entertainment of any parish poor, shall sell, use, lend or give away, or knowingly permit or suffer any spirituous liquors or strong waters to be sold, used, lent or given in any such gaols, prisons or houses of correction, or brought into the same, other than and except such spirituous liquors or strong waters as shall be prescribed or given by the prescription and direction of a regular physician, surgeon or apothecary, and to be applied in pursuance of such prescription from the shop of some regular apothecary, every such gaoler, keeper, governor, master or other officer, shall for every such offence forfeit and lose the sum of one hundred pounds; one moiety thereof to His Majesty, and the other moiety thereof, with full costs of suit, to such person or persons as will sue for the same in any of His Majesty's courts of Record at Westminster, or in the court of Exchequer in Scotland, by action of debt, bill, plaint or information, wherein no essoign, privilege, protection, wager of law, or more than one imparlance shall be granted or allowed; and in case any such gaoler or other officer, being convicted thereof as aforesaid, shall again offend in like manner, and be thereof a second time lawfully convicted, such second offence shall be deemed a forfeiture of his office.

By sect. 14, it is enacted, that from and after the said first day of July one thousand seven hundred and fifty-one, it shall and may be lawful for His Majesty's justices of the peace, or any one of them, upon information upon oath that any such spirituous liquors or strong waters are kept and disposed of in any such gaol, prison, house of correction, workhouse, or house of entertainment for parish poor in Great Britain, to enter and search, or to authorize and empower any constable, headborough or other peace officer of the parish where any such places are situated, by warrant under his hand and seal, to enter and search any such gaol, prison, house of correction, workhouse or house of entertainment for parish poor; and in case any such spirituous liquors or strong waters shall be found therein (except such

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such as are directed to be used medicinally as aforesaid) it shall and may be lawful for such constable, headborough or overseer of the poor, to seize such spirituous liquors or strong waters, and to cause the same to be forthwith staved and destroyed.

By sect. 15, it is enacted, that no person shall carry, or bring, or attempt or endeavour to carry or bring any distilled spirituous liquors (except to be used in the way of medicine as hereinbefore mentioned) into any gaol, prison, house of correction, workhouse or house of entertainment for parish poor; and if any person or persons shall offend therein, it shall be lawful for the gaoler, keeper, master or chief officer of such gaol, prison, house of correction, workhouse or house of entertainment for parish poor, or his or their servants, to apprehend such person or persons, and to carry him, her or them before a justice of the peace of the county, division, city, town corporate or liberty where such gaol, prison, house of correction, workhouse or house of entertainment for parish poor is situate (who is hereby empowered to hear and determine such offence in a summary way, and to administer an oath to the witnesses;) and if by the oath of one credible witness or otherwise, he shall convict such person or persons of such offence, he shall forthwith commit such offender or offenders to prison, or to the house of correction, there to be kept in custody for any time not exceeding three months, without bail or mainprize, unless such offenders respectively shall immediately pay down such sum or sums of money, not exceeding twenty pounds, and not less than ten pounds, as the justice shall impose upon such offenders severally as their fines, to be paid one moiety to the informer, and the other moiety to the use of the poor of such gaol, prison, house of correction, workhouse or house of entertainment for parish poor.

TRINITY TERM, in the fifty-sixth year of the reign of King George the Third. 197.

WHEREAS by a rule of this court made in Trinity term, in the twenty-first year of His present Majesty's reign, it was ordered, that the marshal of the Marshalsea of this court do not suffer the wives or children of any of the prisoners to lodge in the prison under any pretence whatsoever:

And whereas notwithstanding the above order of this court, a practice has prevailed for the wives and children of the prisoners to lodge in the prison, even without special leave or permission given them by the marshal for that purpose:

And whereas it is expedient that the due execution of that rule should be revived and strictly enforced, except for some special cause to be judged of and allowed by the marshal, and afterwards notified to the judges of this court: It is therefore hereby ordered by this court, that no persons, except the prisoners, lodge or continue during the night in the prison unless by the permission of the marshal for special cause, which shall be presently written in a book and signed by him, and laid before the judges of this court, in their chamber at Westminster Hall, within the first four days of the term next ensuing, for which permission no fee or gratuity shall be taken by any person whatsoever.

And it is further Ordered, That the marshal do keep a book wherein shall be regularly entered, from time to time, the number of persons sleeping in each room; which book shall be in like manner laid before the judges of this court within the first four days of each term.

And it is further Ordered, That the marshal take care that the prison doors be shut and locked for the night at nine o'clock every evening, except in term time, and then at ten o'clock; and that the coffee-room and tap-room be shut and locked at ten o'clock every night, except in term time, when the same may continue open till half past ten.

And it is further Ordered, That the marshal present to the judges of this Court, in their chamber at Westminster Hall, within the first four days of every term, a list of all such prisoners as are supersedeable, showing as to what actions and on what account they are so, and how long they have been so, and as to what actions, if any, they still remain not supersedeable.

By the Court.

COPY of a RULE or ORDER 198.

made by His Majesty's Court of King's Bench, on the twenty-third day of January one thousand eight hundred and seventeen; viz.

Hilary Term, 57 Geo. III.

IT is Ordered, That whensoever it shall be made appear to this Court that any person having the benefit of the Rules of the prison of the King's Bench shall during such time as he has had the benefit of such Rules, have escaped or gone at large, or shall escape and go at

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large, out of and beyond the limits of the said Rules, that in every such case every such person shall thenceforth lose and be deprived of the benefit of such Rules, and be thereafter wholly incapable of enjoying the same under any grant thereof, and shall thenceforth be kept and confined a prisoner within the walls of the said prison, unless the Court shall otherwise order.

By The COURT.

W. Jones, Marshal,
23d January 1817.

Received, the twenty-eighth day of January 1819.

Examined with the Record in the Petty Bag Office, in the Court of Chancery, this 16th day of March 1819.

P. PARRY.

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REPORT

FROM THE

COMMISSIONERS

APPOINTED TO INQUIRE INTO THE STATE OF

ILCHESTER GAOL.

Ordered, by The House of Commons, *to be Printed,*
8 *February* 1822.

THE COMMISSION - - - (A) - - - - - - - p. 3

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(A.)

THE COMMISSION.

GEORGE THE FOURTH, by the grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, TO Our trusty and well-beloved *Thomas Grimston Estcourt*, *Charles Godfrey Mundy*, and *John Delafield Phelps*, Esquires, greeting: Whereas the Knights, Citizens and Burgesses, and Commissioners of Shires and Burghs in Our Parliament of Our United Kingdom of Great Britain and Ireland assembled, presented an humble Address to Us, that We would be graciously pleased to direct that a Commission be issued to inquire into what has been and now is the condition and treatment of Prisoners confined in Ilchester Gaol, the conduct and management of the said Gaol, and the site and buildings of the same; Now know ye that We, considering the premisses, and earnestly desiring that such an enquiry should be made as speedily as possible, and reposing great trust and confidence in your fidelity, judgment and ability, have authorized and appointed, and by these presents do authorize and appoint, you the said *Thomas Grimston Estcourt*, *Charles Godfrey Mundy*, and *John Delafield Phelps*, and any two of you, to make a diligent and strict enquiry, by all lawful ways and means whatsoever, into the matters referred to by the above-mentioned Address of Our faithful Commons, and report to Us, in writing under your hands and seals, or under the hands and seals of any two of you, whether any and what abuses have existed or do exist in the management of Our said Prison, or of the Prisoners therein confined, and what remedies have been adopted, or may now properly be applied thereto, and what regulations or provisions may be necessary or proper for the better management of the said Prison, and of the Prisoners confined therein, and for the prevention of abuses therein in future, and also touching the site and buildings of the same; and for this purpose We do by these presents give and grant to you, Our said Commissioners, or any two of you, full power and authority to cause all and singular the gaolers, keepers, and other officers and attendants, of and belonging to or in anywise employed in or about the said Prison respectively, to bring and produce upon oath, before you or any two of you, all and singular the records, regulations, documents, books and papers or other writings, belonging or appertaining to the conduct, management or treatment of the said Prison and Prisoners confined therein, which shall be in the custody of them or any of them respectively, and also to summon before you, and examine upon oath (which oath we do hereby authorize you or any two of you to administer) all and every person or persons who can give evidence upon all or any the matters herein referred to you: And to the end that Our Royal will and pleasure in the premisses may be executed with the greater regularity and dispatch, We further, by these presents will and command, and do hereby give full power and authority to you or any two of you, to nominate and appoint such person of ability, care and diligence, as you shall think fit, to be and act as your clerk, for the purpose of aiding you in the execution of these presents: And We further will and command, and by these presents ordain, that you or any two of you shall certify, under your hands and seals, unto Our Lord High Treasurer, or to the Commissioners of Our Treasury for the time being, what shall be a fit and suitable recompence for such clerk's pains and service hereby required to be by him performed: And Our further will and pleasure is, that you or any two of you, shall, on or before the first day of November next, report unto Us, under your hands and seals respectively, your proceedings had by virtue of these presents, together with such other matters (if any) as may be deserving of Our Royal consideration concerning the premisses. In witness whereof We have caused these Our letters to be made patent. Witness Ourself at Westminster, the ninth day of May, in the second year of Our reign.

By Writ of Privy Seal.

BATHURST.

(A. 2.)

COMMISSION.

GEORGE THE FOURTH, by the grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, TO Our trusty and well-beloved *Thomas Grimston Estcourt*, *Charles Godfrey Mundy*, and *John Delafield Phelps*, Esquires, greeting: Whereas upon an humble Address of the Knights, Citizens and Burgesses, and Commissioners for Shires and Burghs in Parliament assembled, We did by Our letters patent under Our great seal of Our United Kingdom of Great Britain and Ireland, bearing date at Westminster, the ninth day of May one thousand eight hundred and twenty-one, in the second year of Our reign, authorize and appoint you the said *Thomas Grimston Estcourt*, *Charles Godfrey Mundy* and *John Delafield Phelps*, to make a diligent and strict inquiry into what had been and then was the condition and treatment of Prisoners confined in Ilchester Gaol, the conduct and management of the said Gaol, and the site and buildings of the same; and We did by Our said letters patent, declare Our will and pleasure to be, that you Our said Commissioners should, on or before the first day of November then next ensuing, and now last past, report unto Us under your hands and seals respectively, your proceedings had by virtue of the said letters patent, together with such other matters (if any) as might be deserving of Our royal consideration concerning the premisses: And whereas you, Our said Commissioners, have by your Memorial bearing date the thirty-first day of October last, humbly represented unto Us, that in obedience to Our said Commission, you proceeded to Ilchester, where you arrived on the twenty-fourth day of May last, and forthwith commenced your enquiry, as directed by Our said Commission; that you continued such enquiry from day to day, until the second day of July, when you returned to London; that from that time until the present period, you have sedulously employed yourselves in prosecuting your enquiry, in such way as appeared to you best calculated to meet Our gracious intentions; but that you regret to state, that owing to the very complicated and extensive nature of the subject submitted to your investigation, you have not yet been able, with your utmost diligence, to prepare for Our consideration, a full and complete Report of your proceedings; but as you have made considerable progress, you confidently believe, that if it shall be Our pleasure to grant to you an extension of the time within which your Report is by Our said Commission directed to be presented, you should be enabled to lay before Us, in a more complete shape than you can do at the present moment, the result of your examination, with the observations which it will be your duty to submit thereon: And you therefore humbly pray, that We will be graciously pleased to extend the period within which it is Our pleasure that you shall present your Report to Us, to the tenth day of December next ensuing, or to such other day as We may in Our wisdom think proper to order: Now know ye, that We have enlarged, and by these presents do enlarge the time for you the said *Thomas Grimston Estcourt*, *Charles Godfrey Mundy* and *John Delafield Phelps*, to make your Report unto Us, pursuant to the said letters patent, until the tenth day of December next. In witness whereof, We have caused these Our letters to be made patent. Witness Ourself at Westminster, the twenty-third day of November, in the second year of Our reign.

By Writ of Privy Seal.

BATHURST.

REPORT

FROM THE

COMMISSIONERS

Appointed to enquire into the Condition and Treatment of Prisoners confined in Ilchester Gaol, the Conduct and Management of the said Gaol, and the Site and Buildings of the same.

TO THE KING'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY,

YOUR Majesty having by virtue of Your Majesty's commission, bearing date the ninth day of May 1821, been pleased to authorize and appoint us, whose names are hereunto subscribed, to make a diligent and strict inquiry, by all lawful ways and means whatsoever, into the condition and treatment of Prisoners confined in Ilchester Gaol, the conduct and management of the said Gaol, and the site and buildings of the same, and to report to Your Majesty, whether any and what abuses have existed or do exist, in the management of the said Prison, or of the Prisoners therein confined; and what remedies have been adopted or may now properly be applied thereto; and what regulations or provisions may be necessary or proper for the better management of the said Prison, and of the Prisoners confined therein, and for the prevention of abuses therein in future; and also touching the site and buildings of the same: We beg leave humbly to represent, that in obedience to Your Majesty's commands, we proceeded to Ilchester, where we arrived on the 24th day of May, at two o'clock, P. M. and soon after demanded admittance at the Gaol, in which we understood that the high sheriff, and several of the magistrates of the county were assembled. We caused them to be informed of our arrival, and that we should proceed forthwith to open Your Majesty's commission. On receiving this communication, the high sheriff (William Hanning, Esquire) and several magistrates attended; we required the presence of the governor, and of all the officers of the gaol, and of some prisoners from each of the wards. On these persons being assembled, Your Majesty's commission was opened, and read by the clerk to the commission. We then demanded the rules, and the keys of the Prison, which were delivered to us accordingly; and we required that some person, not himself the object of any complaint, should conduct us round the prison. No printed form of rules being in existence, one of the large written copies in a frame was produced, several of which are hung in different parts of the prison, but some of them are nearly obliterated by dirt; and to our surprize, we learned that no rules for this Gaol had ever been ratified by the judges, but we were informed that a code of rules was now before them for their consideration.

Appendix (A.)

Appendix (D.)

For the purpose of giving due effect to Your Majesty's commission, and of affording facility to all who might have any information to communicate, we affixed a notice on the outer gate of the Prison, apprizing all persons that we, Your Majesty's commissioners, were assembled for the purpose of hearing those who might be desirous of making complaints, or of offering any statements touching the objects of the commission; and we issued an order to the governor, requiring him to give free admittance to any such persons.

Appendix (C.)

Appendix (B.)

Mr. Henry Hunt, one of the prisoners, who came to hear the commission read, then stated, that the sheriff and magistrates had held an enquiry for some time, on certain charges delivered in by him against Mr. William Bridle, (the governor;) that he had produced evidence in support of the said charges; that his case was

closed; and that the governor having had a week allowed to him to prepare his defence, it had been expected that he would have opened it on that day, but that he (the governor) had not done so, and had stated his intention not to make his defence to any but Your Majesty's commissioners. Mr. Hunt further stated, that he had preferred thirteen charges against the governor, before the sheriff and magistrates, and was ready to do so again before Your Majesty's commissioners, and to substantiate the charges by evidence; and that he had been allowed, by an order from the sheriff and magistrates, to have free access to all gaol books, orders, and accounts whatsoever, and to have admitted to him any prisoner or other person with whom he wished to communicate, for the purpose of preparing the evidence in support of his charges; and that he was thereby in possession of all matters of complaint existing within the Gaol, and had arranged them under distinct heads.

Appendix (DD.) Occurrence Book, 18 May 1821. Appendix (DD.) 12 April 1821.

Having directed the prisoners present to make known in their several wards, that Your Majesty's commission had been opened, and that the commissioners would continue their sittings at eight o'clock the next morning, we then began our examination of the Gaol, attended only by the clerk to the commission and the taskmaster, (John Bunter,) who had been recently appointed to that office, and against whom, it was stated, that there was no complaint. We proceeded to inspect every part of the prison, and questioned every prisoner, as to any complaint that he might have to make; always sending away the taskmaster, that the prisoners might speak without restraint.

On inspecting the sleeping-cells, both of the felons, and of those called "Timemen" (meaning such as are imprisoned for a term,) we perceived that many of them were occupied by two persons; and were told, that it was by the choice of the prisoners; this appeared to us to be an improper option to be given to them. In many of the cells a large heavy chain was attached to the floor; in others, to the bedstead, apparently for the purpose of being fastened to the ancle or wrist of a prisoner. Some of the cells had no inhabitant, though others contained two, as before stated.

We made a memorandum of the statements of the different prisoners, for the purpose of future investigation. The majority of those who had any complaints to make, referred us to Mr. Hunt, to whom they stated, that they had already delivered them, in obedience to the order of the sheriff, that Mr. Hunt should be allowed to send for any prisoners having complaints to make; and that upon so attending, they had put him in possession of the same.

Appendix (DD.) 12 April 1821.

The general complaint of such prisoners as had no allegation of individual ill-treatment, was against the water, which they almost universally spoke of as being offensive, both in smell and taste; especially at the first pumping in the morning. We therefore tasted the water at all the wells, and found a disagreeable flavour; this, it is to be observed, took place in the afternoon, after a considerable quantity of water had been drawn off in the course of the day, and when, according to the statement of the prisoners, the disagreeable taste and smell of the water was less perceptible.

The greater part of the prisoners likewise complained of the bread furnished by the county. We examined it, and it appeared to be ill made, to have an acid taste, and to be composed of a quality of flour by no means equal to that required by the contract made by the magistrates with the baker, which we inspected, and found to be for the "standard wheaten loaf of fair marketable quality." We had, however, the pleasure of knowing, a considerable time before we left Ilchester, that this complaint was investigated by the magistrates, and the terms of the contract enforced; by which means excellent bread of the quality required by the contract, was furnished for the use of the prisoners.

Appendix (F.)

Many of the prisoners complained of letters being opened, and of the Gaol being cold and damp.

After having completed our inspection, we demanded the books and papers relative to the Gaol; and Mr. Edward Coles (clerk of the peace) being in attendance and sworn, stated that there never had been any rules which had received the sanction of the judges, but that a set of rules had at the last Lent Assizes been laid before the judges on the circuit for their consideration, but which had not as yet been returned by them.

Appendix (G.) (I.)

We

We next proceeded to examine the governor, who, being sworn, deposed that he was appointed to his office in 1808, with a salary of five hundred pounds a year; that he was at the time of his appointment chief mate of the Retribution hulk stationed at Woolwich; that there were tables of rules hung up in various parts of the Gaol, by which he was accustomed to act; that there was also a book called The Magistrates' Journal, in which all particular orders for his guidance under special circumstances were entered. The governor having delivered in the books, pointed out their several uses, particularly that of the Magistrates' journal, and of the book of daily occurrences, which he described as being that in which he (or, in his absence, the officer next in rank in the Gaol) was required to enter every occurrence that took place, for the information of the magistrates. Appendix (D.)

We then proceeded to examine several prisoners touching their complaints, which were chiefly relating, among the debtors, to the inconvenience of the mode and hours at which their friends were admitted to visit them; these hours being from nine to ten, from twelve till one, and from three till four; and they were then only allowed to see them in a room called the "conversation room," which they stated to be small, damp, cold and inconvenient; and that there were frequently twelve or fourteen persons at a time in it. This rule does not extend to the wives of the debtors, who are allowed to visit their husbands in the wards, but not to enter their lodging rooms. Simon Cozens, a debtor, stated that his son who came thirty-three miles to see him, was only allowed to be with him one hour; and that although they had business to transact, they were obliged to pass that hour in the above-named conversation room in company with many others.

Many of them likewise complained that the Gaol was at times subject to being flooded, when the river overflowed.

Several of the debtors complained that a part of their yards had been converted into garden ground for the use of the governor, by which their space for exercise became materially contracted; and that they were not allowed to walk on that part so converted into a garden, or to play at fives against the wall for their amusement. Plan (A.)

With respect to these complaints, we beg humbly to represent to Your Majesty, that, on examination, they appeared to us to be well founded. A large piece of that part of the yard, which from its aspect is calculated to receive the principal benefit of the sun in the course of the day, has been for a considerable time occupied for the sole use of the governor, in the growth of vegetables. A strict watch is kept by the turnkeys and the other officers of the Gaol, to prevent any of the debtors from trespassing on this garden; whereby they are excluded from the use of the most comfortable part of their yard, and their space for exercise is very much diminished; at the same time they are exposed to temptation by the constant sight of the produce of the garden, placed completely within the reach of men who, as in the case of the lower or poor debtors, have nothing to live upon beyond the county allowance of bread and water. Such temptation cannot fail to excite jealousy and suspicion on the part of the governor, and frequently a desire of pilfering on the part of the debtors: whether this restriction arose from the fear of injuring this garden, or from any other cause, did not appear to us, but certain it is that the debtors were not permitted to use a ball for recreation and exercise against this part of the wall. Plan (A.)

On examining the governor as to the establishment of the Gaol, with respect to officers, we were informed that the officer next in rank to himself, is the taskmaster, whose duty it is to superintend the various species of labour performed by the male prisoners. The next officers in rank are,—first, the turnkey at the entrance lodge; and second, the turnkey at the debtors lodge. There are also assistant turnkeys and messengers, besides the constables of the wards, which last are selected from among the prisoners, and whose duty it is to keep the wards and rooms clean, and to report to their superior officers any extraordinary circumstances that may arise in their respective wards; or any improper conduct on the part of the prisoners who inhabit them. The female prisoners are entirely under the care and superintendence of the matron, and are employed in the washhouse and laundry, in washing, ironing and repairing the clothes, &c. used in the Gaol. The duty of the messengers is, among other things, to carry the orders from the prisoners to the shops in the town, for such articles as they are allowed to purchase, for which purpose they are provided with a book. Persons are likewise permitted to come to the Gaol every morning, with articles of provision, &c. for sale to the

 prisoners,

prisoners, and are attended by one of the officers, which traffic is carried on through a small trap-door placed in the walls of the different yards. This kind of market, in the language of the prison, is called "shop;" besides which, other persons are permitted at different times to come in with eggs, milk, bacon, &c. for sale.

With respect to the complaints made by Mr. Hunt, and other prisoners, of the conduct of the governor, it does appear to us, that he has greatly neglected his duty in not properly inspecting the wards, and other parts of the Gaol; in omitting to visit the sick, and sufficiently to superintend and control the conduct of the inferior officers.

Appendix (E.)

The manner of keeping the daily Occurrence book, forms a subject for grave reprehension; this volume should present a faithful record of every transaction in the Gaol, regularly entered in the order, and on the day in which it took place; the visiting magistrate would in such case, know where to find every subject of inquiry which had occurred since his last visit. But the interlineations, interpolations and additions to the entries in the book at Ilchester, made long subsequent to the body of the entry itself, were not only calculated, but in our judgment were intended to mislead and delude the research and investigation that would have discovered abuses and irregularities, and secured a faithful discharge of the duties required from the governor.

With respect to the charges of drunkenness, and gambling for large sums, it does not appear to us, that they are sufficiently supported by the evidence; and although it seems that in one instance, a game at cards for a considerable amount had been introduced, in the absence of the governor, by Mr. John Kinnear, a prisoner, under sentence for a misdemeanor, at that time lodging in the governor's house, and admitted to associate with his family, yet it was proved that he (the governor) put a stop to the game, on his discovering the nature of it.

It appears that the governor has at times descended to the use of oaths, and other improper language; and so diminished that respectability of character, which it is of the utmost importance for a person holding such an office to preserve. Your Majesty's commissioners cannot too strongly reprobate the introduction into the Gaol, of bands of music and dancers, and a procession of the members of a club; and still more so, the bands of music of an electioneering party, the governor himself taking an active part in their proceedings.

With respect to the charges brought against the governor, for improper application of the county stores or goods manufactured in the Gaol, we conceived them to be matter for investigation between the magistrates and their officer, and not falling within the scope of Your Majesty's commission, in cases where such misapplication of stores or manufactured goods did not operate to the injury of the prisoners, the interruption of proper discipline or due administration of justice in the Prison, and therefore have not thought it any part of our duty to report thereon.

It appears to us, that there has not been sufficient attention paid to the characters of the persons selected for filling the inferior offices in this Gaol; in many instances persons confined for the second and third time, have been appointed to act as constables of the wards, or to other minor offices; thereby, in some instances, exercising a degree of authority over persons of comparatively good character. This observation will also apply to the selection of persons appointed to the minor offices of trust, though not of authority, as in the case of William Carter, who was appointed constable of a ward, and afterwards to the situation of attending the Gaol surgeon, and preparing and carrying out medicines to the sick, to which latter office James Harper had formerly been appointed; though both these persons were at the time in gaol for the second and third offence, and were considered to be of remarkably bad character.

Among other instances of the above sort, we think it right to notice the employment of Edward Shepherd (one of the upper debtors) as the governor's secretary, who is stated by many of his fellow prisoners to be a man addicted to gross swearing, and to be a person of abandoned and immoral character; this testimony is indeed impeached by the evidence of some of the other debtors. But we feel ourselves bound to state, that on our examination of Edward Shepherd, he prevaricated so grossly; and much of his testimony given on oath before us, was so decidedly

decidedly contradicted by letters of his own writing, to William Pitcher, formerly a debtor in this Gaol, that we thought his conduct before us materially corroborated the accusation brought against him. Appendix (Y.)

It appears by the evidence of Richard Pike, one of the turnkeys, and of his wife, as well as by that of most of the prisoners, that the letters of the prisoners are constantly opened and read by the governor's order, in disobedience of the instructions contained in a circular letter from Viscount Sidmouth, Your Majesty's Secretary of State for the Home Department, and transmitted to him (the governor) for his guidance. Appendix (CC.)

It likewise appears, that during a considerable period, there was a great neglect existing in providing sufficient county cloathing for the use of the prisoners, in consequence of which they were reduced to a state of rags and extreme filth; this evil was however removed a few months before our arrival.

We cannot but advert to the circumstance of Sarah Lawrence and Sarah Hewitt (two single women, and prisoners in this Gaol under sentence for felonies,) having each of them been delivered of a child after they had been more than twelve months in this Prison, and at the time that each of them had been employed as a servant in the house of the governor, which circumstances appear never to have been brought to the knowledge of the magistrates; the entry in the Occurrence Book of the births and baptism of these children, made in general terms only, being rather calculated to mislead than to inform. Appendix (DD.) 18 August 1819.

With respect to the various complaints, of the immoderate severity with which punishment had been inflicted on the prisoners, we feel it to be our duty to state, that in several instances they appear to be well founded; of which the cases of James Hillyer, Thomas Gardiner, and Mary Cuer, are in our judgment the most prominent of any that came before us.

We directed the irons worn by Hillyer, as a punishment for an offence committed against the constable of the ward, to be produced, and again put on in our presence; they consisted of a pair of heavy fetters, doubled so as to leave the length of one link only between the legs; a pair of hand-bolts, and a chain connecting the hand-bolts with the centre ring of the fetters. The length of the chain, when strained to its extent, was barely sufficient to allow the wearer to stand upright, carrying, by so doing, according to the statement of Pike, the turnkey, a weight of iron upon his wrists amounting to about ten pounds and a half. It is to be observed, that the rings of the hand-bolts were so small, that it was not without a considerable effort of strength on the part of the turnkey, and evident pain on the part of the prisoner, that they could be forced on his wrists; and notwithstanding that they were on but a very short time, the flesh of the arms was deeply indented when they were taken off. And although it has since been discovered that Hillyer was enabled, by means of a piece of wire which he had concealed, to unlock the fetters from his legs at night, and to fasten them on again before the turnkey visited him in the morning, yet, as he could not remove the hand-bolts, his sufferings for several days and nights (*videlicet*, from the 12th to the 21st of February) during which he was thus ironed, and in solitary confinement, must have been very severe. The governor brought him, ironed in this manner, on the 13th of February, into the presence of three visiting justices; but as he neglected to call their attention to the unusual mode in which Hillyer was ironed, and only spoke of having put him the day before into solitary confinement, those gentlemen state that they did not particularly observe the irons, and gave, in general terms, an order for his continuance in confinement until he should express contrition for his misconduct.

Your Majesty's commissioners conceive that there can be but one opinion as to the gross misconduct of the governor, in applying a blister to the head of Thomas Gardiner, by way of punishment; nor can we refrain from expressing our astonishment, that any medical man should have lent himself to such a purpose; nor can we omit to notice the manner in which the entry was made in the Surgeon's journal, a considerable time after the application of the blister, and so calculated to prevent the magistrates from discovering the extraordinary circumstances of the case. Appendix (AA.)

The case of Mary Cuer appears to us to be one of extraordinary cruelty; with a young infant at her breast, she was, during a period of severe frost and snow, locked up in a solitary cell from Thursday till Sunday. She had had a quarrel with another

another female prisoner, who with her infant was also subjected to the same punishment. It appears by the evidence of Mary Cuer, that for the two first days there was no fire in her cell; that the child suffered severely from cold, and that during the whole of her four days confinement she was provided with only bread and cold water in a bucket, without the use of any lesser vessel to drink out of; and she was not allowed an opportunity of laying out, for the benefit of her child, the money granted by the parish for its maintenance, nor even of warming a part of her own allowance of bread and water for its support; and her own milk having, under these privations, failed entirely, no mitigation to the sufferings of the infant, could be derived from that source.

Two instances of violence and undue correction, on the part of the governor, were presented to our notice; upon them, however, we do not think it necessary to offer any observations, because the parties injured, if any did sustain injury, did not themselves prefer any complaints, because the alleged transactions were stale in point of time; and that one of them appeared to have been inquired into at the time of its occurrence, by the magistrates, and the complaint dismissed.

On the whole, it appears to us, that instances of immoderately severe and indiscriminate punishment have occurred for some time in this Gaol, and frequently inflicted without due investigation, both on the party aggressing and the party injured; and, in many instances, without the authority, or even the knowledge of the visiting justices. It appears to us, that handcuffing prisoners with their hands behind them, is unnecessary and improper, as is the use of what are called body-irons, consisting of a large iron girdle fastened round the waist, to each side of which is affixed a very short chain, with rings for the wrists, thus preventing the wearer of this instrument from moving his hands more than a few inches from his sides. An iron collar, for the neck, was produced by Pike, the turnkey, intended, it should seem, for the purpose of chaining a prisoner to the ground or wall; but it appears to us, from the testimony of the witnesses, that this instrument has never been made use of.

The stocks, spoken of by several of the witnesses are used for the punishment of refractory boys, and, in a very few instances, of refractory females: Those for the former consist of a box with holes in the lid, which confine the legs; they appear to us not calculated to inflict bodily pain, but to operate principally by way of disgrace; unless, indeed, a prisoner should be compelled to stand in them for so long a period as to produce excessive fatigue, as was probably the case when John Wheeler, a boy of thirteen years of age, was placed in them for several successive days, in consequence of his inattention to, and absenting himself from his work. The infliction of this punishment upon him continued about a week, from eight o'clock in the morning until one at noon; he was then released, to go to his dinner, but was replaced in the stocks at two, and continued there till six; and having, during the hours of his confinement, no seat or other means of resting, or any opportunity afforded of changing his position, his sufferings must have been very considerable. Those in the laundry, for the punishment of the women, have a chair affixed to them, and cannot produce bodily suffering; this mode of punishment appears, by the Magistrates' journal, to have been adopted with the approbation of the visiting justices; and if proper care be taken in the mode of inflicting, it does not convey an idea of severity, much less of cruelty.

With respect to the highly important subject of classification, we feel bound to state, that it does not appear to have been sufficiently attended to. And here we beg to express the astonishment and horror we felt, on finding that two men convicted of crimes the most disgusting and unnatural, were actually placed to pass the night, one of them in the same cell, and even in the same bed, with a boy of seventeen, and the other with a man confined for a trifling offence; the former having taken place in direct defiance of an Order of Magistrates, dated 12th of September 1815; "that boys should, on no account, be permitted to sleep with men." We beg, however, to state, that this evil was immediately remedied, on its being communicated by us to the visiting justices. The earnestness too, with which the system of manufacture is here prosecuted, tends to a disregard of classification, for the skill of a prisoner in weaving or performing other work, seems often to be alone considered; and it frequently occurs, that persons committed for trifling offences are placed under the tuition of felons of the worst sort. Among the females, this failure of classification was more apparent; it being the practice that

Appendix (K.)

that all females (debtors excepted) before, as well as after trial, should wear the gaol dress, associate together, and be indiscriminately set to work in the wash-house and laundry by the matron; and those who before trial have objected to labour, have been compelled by the threat of punishment to submit to it. It seems an extraordinary contradiction, that although the female prisoners, while assembled together in the wards, wash-house, and laundry, are strictly kept under the eye of the matron, and carefully secluded from the male officers, except in her presence, they should, when placed for punishment in solitary confinement, and consequently apart from all observation, be attended by a male turnkey only.

The rules, or rather custom of the Gaol with respect to the debtors, appeared to us to be in some instances inconvenient and irritating to them, without any proportionate advantage to the government of the Gaol. Until an order made by the high sheriff and the magistrates, on the very day of our arrival at the Gaol, great and useless obstacles seem to have been opposed to the debtors and other prisoners procuring the water of the adjacent river, which is generally admitted to be greatly superior to that procured from the pumps in their yards.

It likewise appears to us, that unnecessary restrictions are exercised with respect to the visits of the wives and children of the debtors: their wives and infant children are admitted into the yard and day room, which are common to all the inhabitants of that ward, but are not permitted to enter the lodging rooms; the children who are above the age of infancy, are only permitted to visit their parents in the conversation room, and that during the hours between nine and ten, twelve and one, and three and four; the above mentioned room is common both to the upper and lower debtors wards, and is small, cold, extremely damp and without fire. The wife has access to this conversation room at any of the above hours, and may remain there till four o'clock in the afternoon; she is not permitted to go from the conversation room to the ward, but must go entirely out of the Gaol, and then come in again and go to the ward.

The upper debtors ward is inhabited by persons who are enabled to maintain themselves, and are distinguished in the Gaol by the title of "gentlemen debtors." The lower debtors ward is inhabited by those whose poverty renders it necessary that they should be supported by the county allowance of bread, to obtain which they must produce a certificate of utter poverty from their parish; this being generally unknown to persons who have not before been in gaol, it frequently occurs that debtors who are brought from distant quarters of the county without such certificate, are put into the upper ward, and subsist for many days and even weeks on the charity of their fellow prisoners, until the certificate can be procured.

A practice prevails of removing debtors from one ward to the other, by way of punishment for misconduct; thus if an upper debtor is quarrelsome or turbulent, he is removed to disturb the perhaps peaceable inhabitants of the lower ward; and if a lower debtor behaves ill, he is taken to associate with those whose superior situation in life must subject them to considerable annoyance from his company; and if a lower debtor cannot raise the sum of twopence a week to pay the constable of the ward, he is removed to the upper ward, where having no county allowance of bread, he must either starve or be a tax on the benevolence of his fellow prisoners. It seems right that persons requiring the county allowance of bread should not be permitted to purchase luxuries; and no doubt much caution is necessary to prevent an abuse of the charitable indulgence, the concession of which can be justified, solely by the necessity of the case. But the practice of allowing no poor debtor to receive from his friends a present of beer or cyder, unless sanctioned by the surgeon, (although such debtor may not be upon the list of sick prisoners), is fraught with considerable inconvenience; and as his order has no reference to the debtor's health, or been required under any plea of that description, there seems no reason why the discretionary power of granting or refusing the indulgence should not be vested in the governor, acting as he would do under the controlling superintendence of the visiting justices.

The instance of a female debtor being placed in the ward with felons, appears to have been at her own request, in preference to living in solitude, which must otherwise have been the case, she being at that time the only female debtor in the Gaol.

The practice of locking at night the doors of communication between the debtors' lodging rooms and their yards, for security, is productive of the great evil of com-

pelling them to perform the offices of nature in their close and crowded lodging rooms, an inconvenience which it is obvious might easily be removed, and which it must be presumed, will be provided for in the extensive alterations proposed immediately to be made.

The want of better regulations and proper accommodations for the reception of visitors (not being wives or children) to debtors and prisoners of particular classes, seems to have been severely felt generally; and in the instances of Mr. Kinnear and Mr. Hunt, to have given rise to the complaints of the latter, under the following circumstances and orders. Soon after the arrival at Ilchester of Mr. Hunt, he and Mr. Kinnear were removed to apartments that had been prepared for their reception: on the 6th of June 1820, an order signed by five magistrates and the under sheriff, directed that "Mr. Kinnear and Mr. Hunt be permitted to receive their "visitors in their own ward, at the regular hours, until the visiting magistrates "direct otherwise." On the 6th of July following, eight magistrates and the under-sheriff being assembled at Ilchester Gaol to hold the Gaol Sessions, made the following entry in their journal: "Certain written requests having been made "by Mr. Hunt, on the part of himself and Mr. Kinnear, and the same having been "considered, Ordered that Mr. Hunt and Mr. Kinnear be permitted to receive "visitors in their own rooms from nine o'clock in the morning till sunset, until "further orders." In the Magistrates' journal of the 12th of August 1820, this order, signed by one of the visiting justices, appears: "Read a note from Mr. Hunt, "stating that he has not been permitted to receive any wine or table-beer when "he has had his friends at dinner, six in number; and considering that it was the "intention of the justices to deal liberally with Mr. Hunt as well as Mr. Kinnear, "I venture to order that Mr. Hunt may be allowed to have at the rate of a bottle "of wine for every two days, and the quantity of three pints of table-beer per day; "with regard to persons with Mr. Hunt being required to leave the prison during "the time of divine service, I do not think that the indulgence granted on the sixth "day of July, being the Gaol Sessions, warrants such restriction." The next entry upon this subject, which appears in the Magistrates' journal, is to the effect following: "Copy of order received from the under-sheriff at Wells, on Sunday "the 19th instant.

"Wells Assizes, 14th August 1820.

"It appearing that inconveniences have arisen in consequence of certain orders, "rules and regulations which were made by the visiting and other justices assembled at the Gaol at Ilchester, on Thursday the sixth day of July last, it is now "ordered, That such orders, rules or regulations, except in such parts thereof as "relate to the improvement of the wards in which Henry Hunt and John Kinnear "are confined, as also to the permission granted to them to walk in the manufactory yard, and to their employment of two prisoners as their servants, be "rescinded; and that in future no female visitors, except the wives and children "of the said Henry Hunt and John Kinnear, be admitted into their private rooms; "and that male visitors be therein admitted only between the hours of nine till "twelve o'clock in the forenoon, and three to four o'clock in the afternoon; and "that the keeper of the said Gaol do not permit any prisoners to lodge or board "in his house."

The above order was signed by twenty magistrates and the under-sheriff. In the Magistrates' Journal of the 24th of August 1820, it is ordered that "Mr. Hunt "and Mr. Kinnear shall be at liberty to see any friend they may think proper, for "one hour, at any time of the day between the hours of nine in the forenoon and "four in the afternoon, except the three hours that are set apart for the debtors "to see their friends in the conversation room."

Signed by two magistrates.

On the 12th of October 1820, in the Magistrates Journal, is the following entry:

"Ilchester Gaol, 12th of October 1820."

(Present ten magistrates and the under-sheriff.)

"The visiting justices having laid before this meeting a letter from Mr. Clive, "Under Secretary of State, transmitting to them, by Lord Sidmouth's directions, "a letter from Mr. Henry Hunt, dated the 19th ultimo, addressed to Mr. Justice "Bailey, and Mr. Hunt having been called in, and asked whether he had any "thing to say in explanation on this letter, or any other complaint to make, he answered,

" answered, that if the magistrates were in possession of his letter, they were " acquainted with all he had to say, and that he wished to be placed in the same " situation as he was in by the order made at this place on the sixth of July last; " and complained of a subsequent order made at Wells, on the fourteenth of " August last. Ordered, that copies of all the orders relative to Mr. Henry Hunt, " and Mr. John Kinnear, be extracted, and, together with the said letter from " Mr. Clive, and its inclosure, be laid before the court of Quarter Sessions on " Monday next."

On the 16th of October 1820, appears in the Magistrates Journal, a copy of the order of sessions:

" Ordered, That no female visitors, except as aforesaid, (wives and children) be Appendix (CC.) (O[d].)
" admitted to the said Henry Hunt and John Kinnear, but at the usual hours in
" the debtors visiting room at the said Gaol, unless upon some urgent occasion,
" allowed by and stated in an order first obtained for that purpose, from one of
" the visiting justices of the said Gaol, or the sheriff of the said county of
" Somerset."

Signed by the Clerk of the Peace.

In the Magistrates Journal, dated the 15th of December 1820, an entry is made to the following effect:

" Mr. Hunt is to be allowed to receive the visits of his female, as well as male " friends, from nine in the morning till four in the afternoon."

Signed by the High Sheriff.

And finally, there is in the Magistrates Journal: " February 13th, 1821.

" Ordered, That the order made at the General Quarter Sessions, held at " Taunton, on the sixteenth day of October last, respecting the admission of " female visitors to Henry Hunt and John Kinnear, be enforced by the governor, " on and after the twentieth of February instant."

Signed by the three visiting Justices.

It is to be lamented that the sheriff and magistrates did not, early in the imprisonment of the two individuals above-named, co-operate with each other, and agree in laying down, upon mature deliberation, a system of treatment to be observed towards them, instead of separately issuing the above contradictory, and, in some instances, irritating orders; no evidence of the particular inconveniences alluded to in the order of the fourteenth of August, was adduced before us, although repeatedly demanded by Mr. Hunt.

The want of accommodation for the sick, so strongly pointed out by Sir John Palmer Acland, in his last entry in the Magistrates Journal, on June the twenty-fourth, 1820, has been felt in a considerable degree, in the instance (amongst others) of Treble, (a debtor,) who lingered under a long illness, and actually died in the common lodging room of the ward, subject to the disturbance unavoidable in such a situation. This evil is increased by the practice of locking the staircase door at night, whereby the person attending the sick man as nurse, is precluded from access to a fire to warm that which it may be necessary to administer in the night. George Goodman (a debtor whom we examined) appeared to be reduced to a very bad state of health, from the fœtid air and the cold to which he was exposed during his night attendance on Treble.

It appears, that in some instances, articles of nourishment ordered by the Gaol surgeon for the sick, have not been administered; the only reason assigned being, that the market at Ilchester did not supply them. It seems, however, extraordinary, that the surgeon to the Gaol should not have considered it as part of his duty, (after he had ascertained that his orders were not obeyed) to report the fact to the visiting justices.

It is to be observed that these evils seem only to have existed lately; for during the prevalence of typhus fever in 1817, the sick received every possible attention; and the activity of the governor and officers, as well as of the medical department, assisted and directed by Dr. Woodford, of Castle Cary, who was specially called in by the magistrates, appears to have been most praiseworthy. To the conduct of the governor indeed, on that occasion, it is impossible to advert without admiration.

miration. To his unremitting vigilance, to his disregard of personal safety, to his promptitude in executing the orders of the physician, and to his humane attention, have been attributed, and apparently with justice, the comfort and recovery of the sick, and the effectual check that was at length given to that dreadful disorder.

Some inaccuracy appears to have existed, in keeping the account of the term for which prisoners have been sentenced to be confined, the effect of which has been a continuance of their imprisonment beyond that period when they ought to have been released; an instance of this negligence appeared in the case of Ann Denman.

The examination into the circumstances incident to the death of Ford (late a prisoner in this Gaol) led our attention to the manner in which the Coroner's inquests on the bodies of prisoners dying in Gaol, have been taken. Not only in the case above alluded to, but in many others, the inquiries appear to have been conducted in an extremely slovenly manner; the inspection of the corpse has been frequently cursory and superficial; short and hasty memoranda of the testimony of the witnesses have been substituted for the full and accurate deposition, by which alone a correct view of the case can be given. The surgeon of the Gaol has been deemed a sufficient evidence of the medical facts, although he has not been in attendance on the deceased. And on the other hand, instances are not wanting, where the surgeon, after having been the sole medical attendant on the deceased, has absented himself from the inquest, and has been permitted to have himself represented by an entire stranger to the occurrence, and of course disqualified for communicating any facts to the jury; under circumstances of such irregularity, it cannot be matter of surprize that the verdicts should be impugned.

Appendix (BB.)

In the case above alluded to, the evidence of Chamberlayne, that Ford had received a blow from the then turnkey, which if not the immediate cause had induced his death, in our judgment is undeserving of credit; it rests upon the uncorroborated testimony of an individual, who, in delivering his evidence before the Coroner, suppressed that which, if true, was the most material feature of the case; and who, although living within seven miles of Ilchester, does not appear to have made any communication with reference to the blow, until after the investigation into the state of the Gaol had commenced, and he had been urged by a woman (his neighbour) to try if he could recollect any thing that happened amiss whilst he was in prison. Nor does the burial of Ford, in the evening of the day on which he died, serve in our opinion, to uphold the testimony of Chamberlayne; for at the time of Ford's death, those cautionary measures (which, during the prevalence of typhus fever in 1817, were under the directions of the physician, had recourse to) still remained in force, and one of them being "that the body of "a patient who had died of that disorder, should be buried as soon as possible," it would be unreasonable to make an indiscriminate, though perhaps absurd application of that regulation to a case unconnected with the disease which occasioned it, evidence of the guilt of the turnkey, whose character is universally admitted to be excellent, whose general conduct seems to be irreproachable, and whose demeanor in our presence left us no reason to doubt his veracity.

Appendix (AA.)

A very objectionable practice seems to have existed, of placing fetters and handcuffs on criminals when taken to execution; such precaution cannot be necessary; escape is nearly impossible, and the ordinary confinement of the arms is sufficient to prevent the unhappy object from increasing his own sufferings by resistance.

In the progress of our inquiry, allusion having been made to a petition, intended to have been presented to the House of Commons, from certain debtors confined in this Gaol, in the year 1813, (but which petition was abandoned, in consequence of the parties themselves having disagreed as to the mode of carrying their intentions into execution) we have thought it right to set out, in the Appendix to this Report, the petition at large, and the proceedings had thereon, as they appeared in the Magistrates' Journal.

In bringing to a conclusion our observations on the internal management and discipline of this Gaol, we cannot but observe, that a system of irritation, rather than one of steady authority and conciliatory government, appears to have existed. We conceive that though punishment, as far as relates to criminals, is the main object of gaols, which, like this, are also houses of correction; yet, that in the internal

internal government, the strictest attention ought to be paid to the accurate and impartial administration of justice; that it is of as much consequence to encourage the contrite and orderly prisoner, as it is by the infliction of punishment to subdue the hardened offender; and that where punishments are necessarily inflicted, they should be such only as are ordained by the laws passed for the government of gaols, and administered, or at least sanctioned by the authority of the magistrates; and although we fully concur in the great advantages of keeping convicted criminals employed in labour, yet we cannot think that the interests of a manufacture, carried on in the Gaol, ought to be allowed materially to interfere with the more important system of classification. In a manufactory, like that at Ilchester, it is impossible for the eye of the taskmaster to watch over the conduct of the prisoners employed in the different workshops. There seems, therefore, reason to fear, that the mind of the young and inexperienced prisoner may receive contamination from associating (even during the hours of labour) with the old offender; who, on account of his superior skill at the work in which they are engaged, may be placed over him, and who has thus, whilst he teaches him perhaps a trade, an opportunity of instructing him at the same time in wickedness also.

We conceive, that with respect to debtors, every comfort ought to be afforded to them that their situation will admit of, consistent with the safe custody of their persons; and that the domestic relation between husband and wife, parent and child, should be as little as possible deranged.

With respect to the religious establishment of this Gaol, we are compelled to observe, that till lately, it has been very inadequately provided for; divine service having been performed once in the day on Sunday only. And it does not appear to have been the practice, or to have been considered a part of the duty of the late chaplain to visit prisoners in their wards, or those in solitary cells; nor does it seem to have been required of him to keep a journal, agreeable to the provisions of the 55th Geo. III, which directs, That such journal shall be kept in a book provided for that purpose, and which shall be regularly laid before the Justices at the Quarter Sessions, for their inspection, and in proof of that having been done, shall be signed by the chairman. We have great pleasure, however, in representing to Your Majesty, that abundant hope is afforded of a decided amendment on this head, from the apparent zeal of the newly-appointed chaplain, (the Rev. John Valentine) under whose auspices the duties of his office will be executed, we trust, in a more regular and beneficial manner, and the school for juvenile prisoners (which appears formerly to have existed, and the reasons for the discontinuance of which did not appear) be revived.

It may not perhaps be too much to add, that the internal government of this Gaol appears to have been considerably deteriorated since the declining health of Sir John Palmer Acland has deprived the county of Somerset of the advantage of his unwearied and vigilant superintendence.

An attempt was made to fix upon the governor the odious crime of robbing the charity box, containing the donations for the relief and discharge of the poor debtors. It should be observed that this box is fixed in the public entrance at the lodge; considering therefore the difficulty not to say impossibility of his committing such a crime, without exposing himself to immediate detection in the act, and that the evidence was left altogether so loosely, we could not come to the conclusion that such charge was sufficiently supported.

THE SITE AND BUILDINGS.

IN Obedience to Your Majesty's further commands, that we should inquire "touching the Site and Buildings" of ILCHESTER GAOL, we examined its local situation with reference to the adjacent country, to its position in the county, and to the advantageous or injurious proximity of other buildings; we also examined the disposition, convenience and construction of the several courts and apartments; and as the result of such inquiry, humbly report to Your Majesty, that the Gaol is situate on the northern bank of the river Ivel or Yeo, the waters of which wash its wall; but a commodious communication is maintained with the very small town of Ilchester, by a good and substantial stone bridge abutting to the north against the

 boundary

boundary wall of the Gaol now building, and to the south against the premises at the entrance of the town.

The country to the south of Ilchester for about two miles is a dead flat, the soil alluvial to a considerable depth, and intersected with wide and deep ditches, marking evidently the conversion of moor into the rich and luxuriant pasturage to which it is almost exclusively applied; a similar character pervades the county for several miles eastward, and to the west and north-west the level expands, until it unites with the well known and extensive district of Sedge Moor: Ilchester therefore may be considered as placed a short distance within the confines of a widely extended reclaimed moor.

Notwithstanding that a fall of six feet in the river within a mile from Ilchester, gives to its water a free current, and that the tops of the banks are nearly ten feet above the ordinary height of the water, we were assured that not unfrequently the torrents from the hills descend with such rapidity and in such quantities, as in a very short space of time to overflow the banks and to inundate the whole of the vast flat; the Gaol standing upon a level with that country, is on such occasions a participator of the deluge, which has been known within a few years past, to cover the pavement to the depth of twelve or sixteen inches, leaving when it subsides a muddy residuum, and the other ordinary and offensive concomitants of flood.

With regard to the advantageous or injurious proximity of buildings to the Gaol, its being placed within two hundred yards of the town of Ilchester can be considered in no other point of view than as conducive to convenience, and therefore to a certain degree advantageous; the same may be said as to the houses of the village of Northover in which it stands, with the exception only of the house and premises
Plan (D.) of Mr. Tuson, the contiguity of which is injurious, as affording easy access to those without, who wishing to communicate with prisoners confined in the yards, over which no officer has inspection, may execute their intention either by means of the garden wall which is attached to that of the Gaol, by fruit trees nailed against the latter, by the roofs of low penthouses forming part of Mr. Tuson's premises, and which rise gradually from within a very few feet above the ground to the top of the wall, or by a window in the upper story of the house opening into the debtors' yard. The contiguity of these premises is also injurious as obstructing the free circulation of the air on the whole northern side, either by the buildings or by a row of lofty poplar trees planted within ten feet of the prison wall, and growing to the height of about fifty feet; the branches of which approaching the top of the wall, greatly increases the insecurity.

The position of Ilchester, and of course of the Gaol, is in the south-eastern angle, and within seven miles of the boundary of the county, and it is nearly equi-distant from its northern and western extremities; but if thereby, the different parts of the county derive an apparent equality of accommodation, the benefits therefrom are materially diminished, by the Gaol being situate at the distance of eighteen miles from the nearest town at which either the assizes or quarter sessions are holden; in a part of the county comparatively thinly inhabited, and out of that district (comprehending the cities of Bath, of Wells, and part of Bristol, and the great manufacturing population) from which it is natural to suppose, that a considerable portion of its inmates must be derived; we therefore cannot but express
Appendix (L. M.) our regret, that a prison so situate should have been selected as worthy of those extensive alterations by which it has been attempted to fit it for the purposes of a sheriff's gaol, in addition to those of a house of correction.

Another objection, is its vicinity to a town so inconsiderable, and so poor, as to afford little of that accommodation which is frequently required by the inhabitants of county gaols, and in particular that which would arise from the establishment of an under-sheriff's office, with which the debtors in the Gaol might carry on their frequent communications at small expense, and with facility; this inconvenience is indeed in some measure palliated by the liberality of Messrs. Broderip and Mellior of Wells, who, when either of them execute the office of under-sheriff, which one or the other has done for the last twenty-nine years (with the exception of only three) procure the supersedeas for the release of debtors, at no other charge than that which they have actually incurred.

Although it may be said, that Ilchester affords sufficient accommodation for the reception of such persons as are usually the visitants of county gaols, yet from the

the distance at which the Gaol is placed, without that part of the county whence the large proportion of prisoners, and of course of visitors (whether as friends or professional agents) come, such an obstacle in the expenditure both of time and of money, is presented, as may deter many from carrying to the prisoners (whether they be for trial or for debt) the consolation and assistance of which frequently they stand in need.

The county too must feel the weight of charge, created by the conveyance of prisoners so far to gaol, and from thence to each of the assizes and quarter sessions. The practice (to which this arrangement has given birth, and which has subsisted for about the last twelve years) of causing executions to take place at this Gaol, Appendix (U.) has superadded an inconvenience which in some instances is peculiarly objectionable, and in most, prejudicial to the public interest. If it be the end and object of all executions, to protect the public safety, not only with respect to the criminals themselves, but also with regard to those inclined to commit the like crimes, in deterring them by those examples; nothing can be more agreeable to the end of such punishments, than to inflict them with such publicity and solemnity as is most proper to make an impression on the minds of mankind in general; surely then that spot is the least eligible which is the furthest removed from the most populous districts.

It is rendered peculiarly objectionable, where by statute, the awful sentence of the law must be carried into almost immediate effect, as in a case of murder; the short interval of forty-eight hours allotted to the great work of repentance, is here miserably abridged by the necessary removal of the culprit to a distance of at least eighteen miles; a process which must occupy too many of the valuable hours, in which the mind ought not to be distracted by any extraneous objects unnecessarily brought within its contemplation. The Gaol appears to have been built at several periods; it occupies about an acre of land, and is intended for the reception of two hundred and twenty prisoners. Although the several additional buildings when viewed separately, may be considered as uniformly built, yet as a whole, the edifice assumes so much of irregularity, as to require that we should, in observing upon the arrangement of the courts and apartments, refer to the plans which the magistrates of the county obligingly put into our hands.

Availing ourselves of this accommodation, and referring to map (A.) we have to Plan (A.) observe that upon entering the Prison, the building first presented to the eye, and appropriated to the residence of the gaoler, is conveniently situate nearly in the centre of the Gaol; but with relation to the courts and apartments occupied by prisoners, it is so circumstanced as not to afford to the gaoler any facility of inspection.

To us it appears a singularly unfortunate part of the arrangement, that neither the gaoler's house nor the turnkey's lodge commands any view of those yards in which the most atrocious criminals are placed; the two wards appropriated to the reception of female prisoners, and the two for debtors, being those alone over which the vigilant eye of a keeper can exercise the salutary control of frequent and unexpected observation.

The four wards to the right and left of the entrance, are conveniently situate for the prisoners to whose reception they are devoted, viz. males for trial, males under sentence of transportation, and such males as, having been convicted, are either sentenced or ordered to be imprisoned as a punishment for their crimes. These wards are well suited to the species of discipline here adopted; each consists of a yard with a day-room, a kitchen—sufficiently spacious for a moderate number of prisoners, but certainly not for so many as have been of late confined in them. The height of these rooms is nine feet, and their mean size near twenty feet square; in each there is a large fire place; the windows open into the court to which the room belongs. Each ward is also provided with a convenient room or closet, in which is kept the prisoners' food, and each is duly furnished with a pump and privy. The walls surrounding these several courts are lofty, so much so in some parts that (for the sake of promoting ventilation) it would be well if, with a due regard to security, they could be lowered; a portion of one of the courts is taken off as an entrance to the chapel, and a portion of another for the pump and offices of the turnkey at the lodge; thus in both cases deteriorating the courts so reduced in size. The chapel adjoins the gaoler's house; it is lofty and well calculated for about one hundred and twenty or one hundred and thirty prisoners; it is fitted up with par-

titions for separation, but that is not so completely effected as entirely to prevent
Plans (B.) (C.) the different classes, or even sexes, from seeing each other. There are over the whole of these apartments night cells and dormitories; the cells are sufficiently high and roomy, in some instances more so than is necessary for the use of a single prisoner; thus perhaps inducing the bad practice of placing more than one person to sleep in the same cell: each of the dormitories is intended for the reception of several occupants.

Upon this part of the arrangement we humbly presume to state, that our opinion is not favourable; we cannot approve of any plan that does not afford to each Prisoner a separate apartment for the night; and we think it essential that each of these apartments should be so constructed, as to give to the atmosphere by day a rapid circulation, and to prevent it during the night from becoming stagnated and heated: in this particular many of the night cells are very defective, more especially those of the felons and the convicts wards. Upon reference to plans (B.) and (C.) it will be found, that such cells open into long, narrow passages; that no air is admitted but such as can be received from thence, which, when the passages are closed by night, must be in a fetid state. Of this we had, upon our first inspection (at a late hour in the afternoon of a very fine day) ample proof; for as the cells had then been open and unoccupied near twelve hours, they ought, with good ventilation, to have been perfectly free from impurity; instead of which, each retained a close and offensive smell, which we conceive would not have been the case, had there been to each cell a window or large aperture on the side opposite to that in which the door is placed, so as to have admitted an uninterrupted current of air. The almost total exclusion of light appears to us to be also a great defect.

Through the gaoler's house is a passage into a spacious court, the whole northern side of which is occupied by a building containing on the ground floor
Plan (A.) a wash-house, bakehouse, bread-room and cellars; and in the upper story two laundries and two store rooms.

The construction within the wash-house, both of a privy and of an entrance to the sewers, appears to be the material objection to this building; though all those of heat, obstructed ventilation, and damp, usually prevalent in such places, are present here to a considerable extent; the closed blinds in front of the windows tending to increase the evil, and to darken the apartments.

Plan (A.) At each extremity of the back court is a small ward, the one intended as an infirmary for males, but used for misdemeanants; and the other intended for juvenile offenders, but appropriated to the reception of female debtors; each has a court with a privy in the centre of it. The infirmary apartments consist on the ground floor, of a small room twenty feet long, and eight feet four inches wide, close and ill ventilated; within it are a scullery and a staircase. The two apartments above stairs are commodious. The apartments in the boys' ward are all on the ground floor, consisting of a kitchen, fourteen feet by eight feet six inches, leading into two night cells. The northern aspect, contracted size, and lofty walls, render these wards but ill adapted to the intended purposes; and in the latter (if inhabited by boys) the want of a ready means for inspection by the officers, would tend to counteract the best prison discipline.

The several courts and buildings to which we have now referred, are comprehended in what may be considered the central division of the Prison; to the
Plan (A.) west of which is situate the prison for females; its spacious yards, perfect exclusion from the men's wards, and well-contrived means of inspection, strongly recommend this part of the general arrangement; if the night cells are insufficiently ventilated, it could not be difficult to remove that inconvenience; for as they open
Plan (B.) upon an uninclosed gallery, no obstruction to the admission into them of the external atmosphere could be presented, were the windows judiciously placed, and of adequate size.

Plan (A.) To the north of the female prisoners ward, but unconnected by avenue or approach, are three small wards; the two first intended for and used, till required on a late occasion for a different purpose, as cells for refractory prisoners, and the third intended for an infirmary for females. We had the opportunity of seeing these three wards under different circumstances of weather; and the impression left on our minds, is, that they are, for the purposes to which they are intended to be applied, the most objectionable part of the Gaol. It is in this part that the inconvenience

venience of high walls is most sensibly felt: with a northern aspect and no good admission of air, all the worst effects of damp prevail in an aggravated degree, the cold evaporations of wet seasons and the heat of the summer, each generate a species of atmosphere distressing and insalubrious; when to this is added the distance from that assistance so constantly required in hospitals, we consider the ward intended for the sick, peculiarly ill suited to its purpose, and therefore received satisfaction from finding that it is proposed in the projected alterations, to convert it to some other purpose. When we visited Ilchester, this ward was occupied by Mr. Hunt, and the adjoining refractory ward (in which are two cells each nine feet ten inches by seven feet five inches, and having a fire place) was given up to two prisoners who attended upon him. The magistrates appeared to have made many alterations calculated to improve the apartments for the occupation of Mr. Hunt; and in the general arrangement it did not occur to us, that the Gaol could have admitted (without great sacrifice), of a disposition more conducive to his comfort. So long, however, as such an exclusion of sun and air continues, the main objection to the ward cannot be considered as removed. The other refractory ward contains one cell and a yard, both of which are of similar dimensions to those of the former refractory ward. All the evils affecting the ward in which Mr. Hunt is confined, prevail with reference to both of those last mentioned; but as the refractory inmates for whom they were intended, must be presumed to be in health, and as their confinement in a state of punishment cannot be expected to continue a great length of time, those evils would be by them less sensibly felt, than by patients wholly confined to the limits of the infirmary; to avert the prejudicial consequences in Mr. Hunt's case, the indulgence of walking in the factory yard at stated hours of the day, is granted to him. Appendix (CC.) 17 June 1820.

Adjoining to the female ward is the factory yard, a large oblong court containing a long range of shops, in which the prisoners are employed on various works. To prosecute a system of imprisonment entirely depending upon labour for the reformation of criminals, and in which the separation of classes and the discrimination of characters are disregarded; these workshops appear well contrived. They consist of seven shops on the ground floor, in which the manufacture of woollen and linen cloth is carried on, as well as shoemaking; and the upper story is divided into two rooms, in one of which spinning machines are placed, and in the other is the carpenter's shop. With this yard is at present terminated the western extremity of the prison; but the want of a suitable building as an infirmary for the sick, having been found to be a great and lamentable deficiency, a piece of ground adjoining to the western wall of the factory yard has been purchased, on which it is proposed to erect hospital wards. Plan (A.)

The eastern division of the prison is occupied by the debtors; to their reception are allotted two wards, the one being for the upper debtors (or those who maintain themselves,) and the other for the lower debtors (or those whose poverty renders them wholly dependent upon the county for sustenance.) Each ward consists of a court and a building, containing a common sitting-room and several bed-rooms; there is besides, in the centre of each yard, a small kitchen, larder, pump, and privy: the whole cannot, however, but be deemed extremely defective in arrangement. But this part of the prison being considered in a state so dilapidated and miserable, as to have induced the Magistrates to determine upon taking down the whole and re-building it, upon a plan, which it is considered, will afford increased accommodation. See Map (F.) Plan (A.) Appendix (N.) Plan (F.)

We presume that it is not necessary to enlarge upon the present defects, further than to express our decided opinion, that the insufficient admission of light in some rooms, of external atmosphere in most, and the bad arrangement of the whole, fully demand an immediate and extensive alteration, in which should be comprehended improved accommodations for the reception of visitors to the debtors. The diminutive size, gloomy appearance, and incommodious situation of the room now appropriated to that purpose, are too apparent to leave any doubt of its insufficiency.

The whole edifice is constructed of stone from the neighbourhood, and appeared to us to be (with the exception of the two debtors wards) well and substantially built.

The courts throughout the prison are paved, but in general the stones are laid on the edge, and as no mortar or other cement is used, the interstices are open, whereby all water, whether from rain or that with which the pavements are

 washed,

washed, instead of flowing off into gutters and being thence conveyed into the sewers, sinks through the crevices into the earth, and thus adds to the prevailing and pernicious damp. The necessity of averting this inconvenience does not appear to have been impressed on the minds of those who superintended the execution of the paving; as the ordinary precautions for carrying off water by gutters, and by an inclination of the pavement to them, does not in any part appear to be resorted to. True it is that many sinks are placed under the eaves of the overhanging roofs, but no gutters conduct the water into those sinks; and from some cause or other, it happens that they now rest on the highest instead of the lowest ground; and of course are not productive of the slightest benefits.

The alledged bad state of the water furnished a great cause of complaint, and excited amongst the prisoners, generally, an idea that its noxious quality produced even upon a slight use of it, disorders of a gravelly nature. The notions of the presence of unwholesome properties were strengthened by the offensive smell and taste which generally prevailed, though at some periods of the day, and in some parts of the Gaol more powerfully than in others; and the opinion of its pernicious effects seemed confirmed by an assurance entertained, that the symptoms of disorder which accompanied the use of it, ceased upon having recourse to the water of the river.

Appendix (P.) In support of some of the allegations of the complainants, it was thought proper to examine Dr. Kinlake, an eminent physician of Taunton; and on the other hand, the magistrates felt desirous that a complaint so serious should receive the fullest investigation; and most properly afforded to your Majesty's commissioners all the
Appendix (Q.) advantages which they could derive from the several opinions of Sir George Gibbes
Appendix (S.) of Bath, of Dr. Woodford of Castle Cary, and of Mr. Eastwick, an experienced
Appendix (R.) chemist.

Under the superintendence of Sir George Gibbes and the latter gentleman, the water was submitted to a careful analysis; and the result to be collected from thence, as well as from the several opinions of the medical gentlemen, seems to be, that the water contains no deleterious properties; that the painful symptoms described, cannot originate in the use of it; and that the offensive smell and taste proceeds from an extraneous cause, apprehended by Dr. Kinlake, and satisfactorily established by Sir George Gibbes, who remarked that all the wells of the prison, with
Plan (E.) the exception of that in the factory yard, one situate within the compass of a deep sewer, which (as shown in Map E.) embraces within its course nearly the whole of the prison, including all the other sewers and all the privies: that the water in the well of the factory yard is good; and as the only apparent difference between that and the other wells is its being situate without the range of the drains, he concludes that the water of the latter wells must be affected by the drains, or other sources of impurity within the prison; and that such as are peculiarly complained of, may be more exposed, from a greater porosity of the gravelly stratum in their neighbourhood, or from a loitering of the water and the soil in the drains thereabouts.

It also appears probable, that the sewer may produce a further prejudicial effect, by cutting off the pure supply of water; for the stratum in which the wells are sunk being gravel, and the water detained therein, by a stratum of shale and clay, at the depth of from nine to eleven feet, it is obvious that all the wells (none being sunk through the shale) must be supplied by water percolating through the gravel; if therefore a circumjacent drain, so deep as nearly to reach the stratum of shale, be formed (as is the case) the supply of water which passes through the gravel from the neighbouring hills, must be in great measure intercepted; and the wells within the range of such drain, must receive much of their supply from sources less pure, less abundant, and more susceptible of contamination from the foul
Appendix (Q.) drainage of the Gaol. But as is stated by Sir George Gibbes "let the evil arise "from either of the supposed causes, the remedy must be the same, viz. the "conveyance of water for the use of the prison, through pipes communicating "with a pure source;" and as water is the only beverage used by the largest proportion of the prisoners, and consequently as it is of the greater importance that its quality should be free from contamination, we humbly recommend, that immediate steps shall be taken to carry into effect the suggestion above alluded to.

In completion of our inquiry, we considered it to be our duty, minutely to investi-
Plan (E.) gate the state of the sewerage of the prison; in executing which, we received the assistance of two skilful surveyors. We caused various openings of the drains

to

to be made, and a plan to be furnished, marking the course of each, with an account of their levels; which plan will be found in the Appendix. The sewers (for the sake of procuring from the tail of a mill in the immediate vicinity, a supply of water to flow through and cleanse them) are constructed many feet below the surface of the earth, and many more feet than would probably be necessary, could the water be taken at a higher level; the principal inconvenience arising from their low position, is the inability to give to the drains a fall sufficiently rapid, to effect the intended scouring, by the uninterrupted flow of the water.

An attempt to remedy that defect, by sinking the outlet to a still greater depth, would probably fail, as a considerable portion of the drains in the region of the outlets, would in that case be placed so much below the ordinary level of the river, into which they must be carried, as to produce a refluence of the water from thence into them; counteracting the current which descends through the drains from the mill. The consequence of the present arrangement is, that filth and soil accumulating to a considerable degree, it becomes necessary to employ men frequently to remove the inconvenience.

The surveyors are however of opinion, that by the adoption of a plan suggested in their report, the sewers may be daily cleansed by a flow of water, taken either from the present place, and so managed as to acquire increased action; or if that does not attain the desired object, brought from a higher level. Appendix (T.)

There being neither rooms for the reception of prisoners on first committal, nor baths, is a material deficiency in the provisions embraced by the present arrangement; it is a highly commendable practice, on the first introduction of prisoners into gaol, to place them in reception cells, from which they are on no account to be passed into the wards, until the surgeon can from inspection pronounce them to be free from disease, and until the gaoler is satisfied of the cleanliness, both of their persons and cloathing; the bath is of course a necessary auxiliary of this prudent precaution, and would be frequently found of use in preserving that degree of cleanliness, without which the health of the prisoners cannot be adequately maintained, nor the moral effects of good prison discipline be fully achieved.

It is evident, that great pains have been bestowed, and considerable sums expended, in attempts to render this Gaol commodious, and adapted to an improved discipline; and it must be admitted, that although in some important particulars, obvious defects still exist, success has in great measure attended the laudable exertions of the magistracy, who have devoted much of their time and attention to the subject. When discharging the painful duty of pointing out the defects, it is consolatory to us to know, that many of them have been noticed by the visiting justices, and that alterations are in contemplation by which it is hoped that they will be removed or materially mitigated. Plan (F.)

Before, however, extensive works are commenced, it may be of important advantage that every objection which can be raised should be suggested, in order that it may be fully considered; and therefore it is, that in concluding our Report on the site and buildings, we humbly presume in reference to some of our earlier observations, to submit to Your Majesty, the impression made on our minds as to the appropriation of the Prison.

This edifice is now used, and is intended to be used, both as the Sheriff's Gaol and a House of Correction. (As the Sheriff's Gaol it is to hold debtors, prisoners committed for trial, convicts under sentence of transportation, and those awaiting execution; on none of whom is imprisonment inflicted by way of punishment; and the closeness of whose custody is in most instances to be measured by that only which is necessary to secure their persons: as a House of Correction, it is destined for the twofold purpose of imprisonment, for the safe custody of certain prisoners, and the punishment of others.) It appears to us, that there is not sufficient accommodation or space so to arrange, class and distinguish the several descriptions of delinquents, as to render practicable the due observance of the variety of discipline suited to their different cases, and to separate the old and hardened offender from the young and inexperienced. This consideration, in addition to the inconvenient distance at which the Gaol is situate from the place where the assizes and sessions are holden, induces us to think, that could any other prison be constructed for the use of the sheriff, in a situation free from these

objections, much convenience would accrue, not only to the unfortunate persons committed to the Gaol and to their friends, but also to the public officers, to the magistracy, and to the county; and that the ends of justice would be more satisfactorily and readily attained. In such case this Gaol might be converted, at small comparative expense, into a house of correction, which, with the essential advantage of more easy inspection, with good supply of pure water, with an improved ventilation in particular instances, with means of averting some unnessary causes of damp, with the application of a portion of the buildings to an infirmary, and with additional precautions for the observance of cleanliness and the prevention of contagion, might in the hands of a vigilant and conscientious governor, give full efficacy to a system of salutary discipline.

Having, in the course of our inquiry found that frequent allusion was made to Mr. John Kinnear, who had been for the two last years a prisoner in Ilchester gaol, and admitted by the governor to an intimate knowledge of the transactions that had during such time occurred; and likewise to Mr. Hobbs, late the taskmaster, we issued our summons, directing them to appear before us; each of them was, however, prevented from so doing, in consequence of his imprisonment for debt; the one in the Fleet, and the other in the Whitecross-street prison. Upon our return, therefore, to London, we deemed it expedient to visit, on the following morning, those two prisons, that we might examine the above-mentioned persons; but as the information derived from them contained no facts with which we were not previously acquainted, and was merely confirmatory of that which we had received at Ilchester, we did not consider it necessary to examine them on oath, or to reduce their testimony to writing.

After having been occupied on this inquiry at Ilchester, from the 24th of May, we returned to London on the 2d of July, and there continued to prosecute the objects of Your Majesty's Commission, until the 17th day of the same month; we then separated, and since that time have been sedulously employed in revising and arranging the voluminous documents which we had collected, and in framing the Report, which, in obedience to Your Majesty's commands, we have prepared; and we earnestly hope, that a careful examination into all matters to which we conceived that Your Majesty's Commission referred, has enabled us to submit to Your Majesty, such a detail of facts, accompanied by such observations, as will accomplish the gracious intentions entertained by Your Majesty.

THOS. GN ESTCOURT.

4th December 1821. C. G. MUNDY.

J. D. PHELPS.

REPORT

FROM THE

COMMISSIONERS

APPOINTED TO INQUIRE INTO THE STATE OF

ILCHESTER GAOL.

Ordered, by The House of Commons, *to be Printed,*
8 *February* 1822.

3385

PLANS

TO THE

REPORT from the Commissioners appointed to inquire into the State of Ilchester Gaol:

VIZ.

A.— Plan of the County Gaol at Ilchester.

B.— Plan of First Floor.

C.— Plan of Second Floor.

D.— Plan of the Site of Ilchester Gaol.

E.— Plan of the Water Carriages and Drains.

F.— Plan of proposed Alterations.

Ordered, by The House of Commons, *to be Printed,*
8 *February* 1822.

Plan of the COUNTY GAOL AT ILCHESTER, County of Somerset.

in its present State, June 1821.

d lately purchased of Mr Tuson.

for the purpose of erecting a New Infirmary and other Buildings.

60 ft.

The Reservoir for River Water.

Bread Room. Bake house 14·0 by 15·0. Wash house 22·0 by 15·0. 8·8 high. Cellar.

Drain.

Back Court.

Boys Ward. 37 by 21

occupied by Female Debtors.

Drain supplied with River Water from Mr Tusons Mill

Lower Debtors Yard. 98·0 by 42·0.

Cooking Room.

Female Infirmary 29·2 by 27·3. at present occupied by Mr Hunt.

Refractory Yard. 20·2 by 27·3.

Refractory Yard. 19·6 by 27·3.

Male Infirmary. 36·6 by 21·6. occupied by Misdemeanors

Day Room. 20 by 8·4. 9·3 high.

Sculleries

Day Room. 13·5 by 9·7 8·7 high.

Cell. Cell. 6·8 high. Day Room. 16·4 by 9·10. Cell. 7·4 by 9·10

Cell. 9·10 by 7·5

Cell.

Cell. 9·10 by 7·5

Store.

Factory

Female Wards

22·0 by 59·10.

Court.

27·6 by 59·10.

Court.

Day Room. 9·11 by 8·6 8·9 high

Store.

Arcade.

Passage.

Sculleries Sculleries

Task Master and Matrons Lodge.

Day Room. 13·6 by 23·0. 9·3 high

Convict Yard. 21·9 by 23·4.

Chapel. 22·0 by 25·0.

Chapel Yard. 21·9 by 12·9.

Pantry. Kitchen. Sculleries. Coal Cellar. Gaolers House.

Sitting Room. Office.

Day Room. 21·8 by 25·0. 9·3 high.

Cells 12 by 8·6. 9·1 high. Cells 8·6 by 8·0 Cells 12·6 by 6·7

Clafs No 1. Time Men. 46·0 by 24·0.

Provisions.

Sculleries

Entrance Court.

Felons Yard. 47·5 by 29·0.

Passage to Debtors Ward.

7·10 high. Turnkeys Lodge.

Lower Debtors Day Room. 14·0 by 22·5. 7·3 high.

Upper Debtors Yard. 60 by 78.

Cooking Room.

Court

Provision Closet Cooking Stove

Class No 2. Time Men. 21·0 by 28·0.

Day Room. 19·0 by 22·5. 9·1 high.

Upper Debtors Day Room. 20·0 by 25·0. 8·0 high.

Coals.

Turnkeys Lodge.

Sitting Room. Prisoners Room. Sitting Room. Entrance.

Stable. Caravan House.

Roadway to the Gaol 9·11 feet above the level of the Water in the River

New Wall now Building for the purpose of enlarging the Gaol

River

River

Allen Underwood, Surveyor to the County of Somerset.

Scale of 10 5 0 10 20 30 40 50 60 70 80 90 100 110 120 130 feet.

Ordered by The HOUSE OF COMMONS, to be Printed, 8th Feb.y 1822.

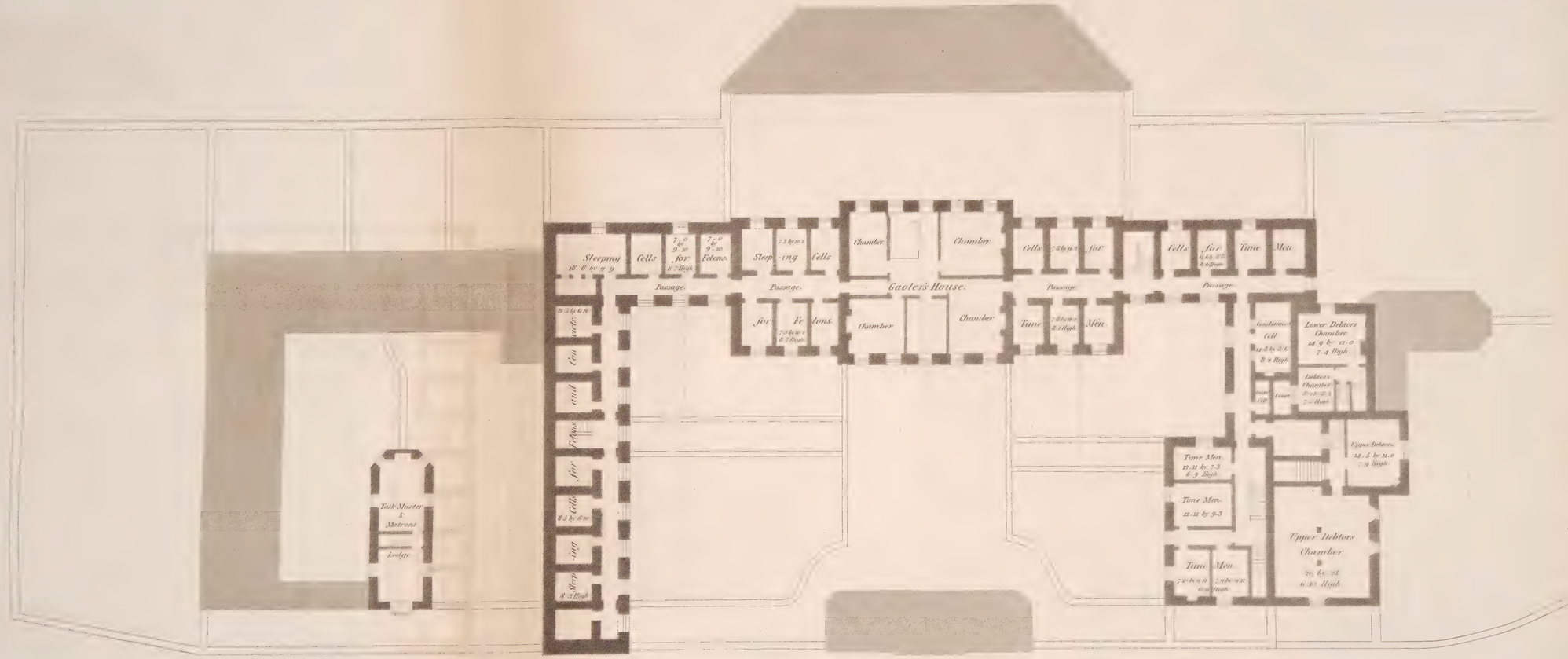
Plan of the First Floor of the COUNTY GAOL AT ILCHESTER, County of Somerset in its present State, June. 1821.

George Allen Underwood, Surveyor to the County of Somerset.

Scale of 10 5 10 20 30 40 50 60 70 80 90 100 feet.

Ordered, by The HOUSE OF COMMONS, to be Printed, 8th Feb.y 1822.

Plan of the Second Floor of the COUNTY GAOL AT ILCHESTER, County of Somerset in its present State June 1821.


Sleeping Cells for Felons.
Passage.
Gaoler's House.
Chamber.
Time Men.
Lower Debtors Chamber 14.9 by 12.0 7.4 High.
Debtors Chamber
Upper Debtors Chamber 25.3 by 21.6 10.11 High.
Time Mens 16.2 by 17.4
Chambers 16.2 by 14.0
Upper Debtors Chamber 25.3 by 21.6 10.11 High.
Task Master & Matrons Lodge
Men's Day Rooms and Cells for Felons
8.3 High.

Plan of the Third Floor.

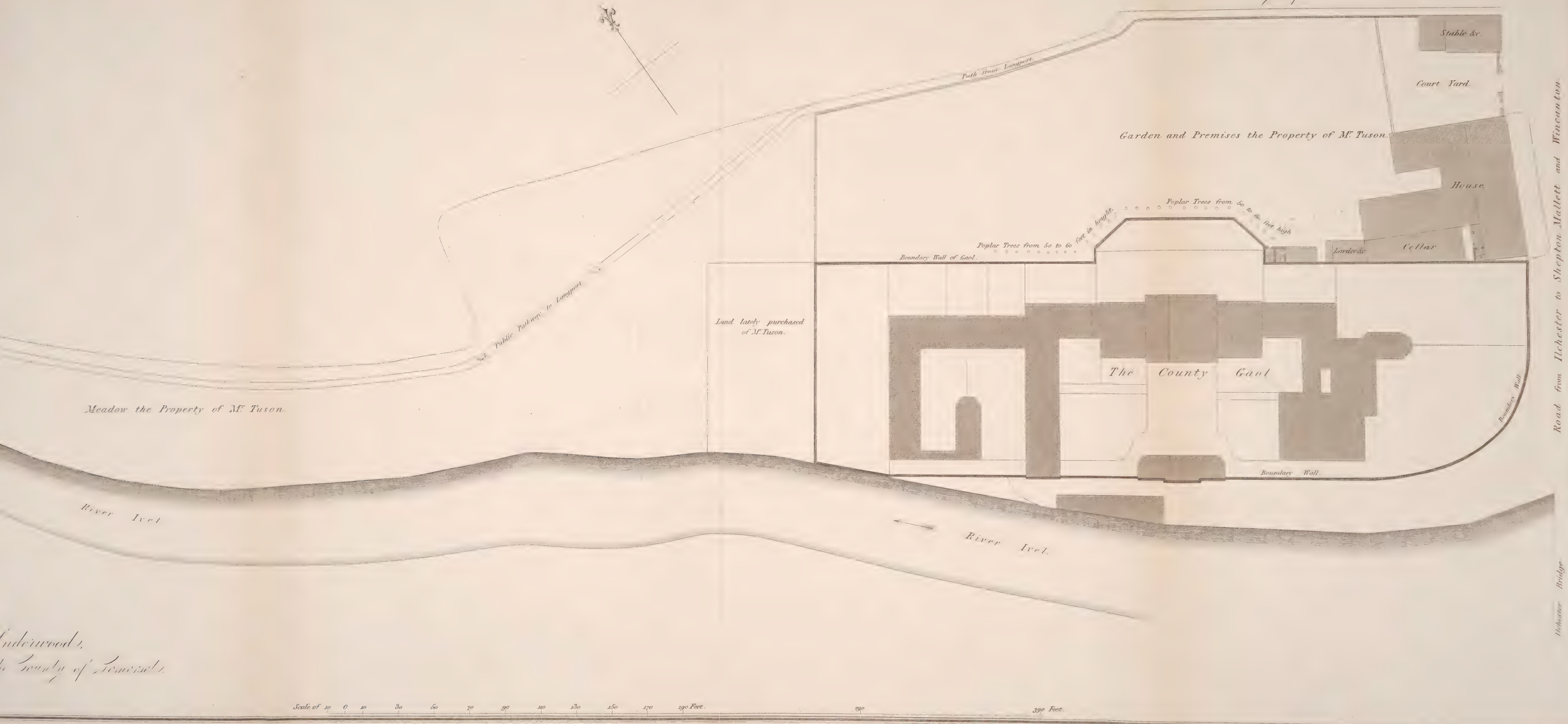
George Allen Underwood, Surveyor to the County of Somerset.

Ordered, by The HOUSE OF COMMONS, to be Printed, 8th Feby 1822.

PLAN OF THE SCITE OF ILCHESTER GAOL,

and the Property adjoining belonging to Mr Tuson.

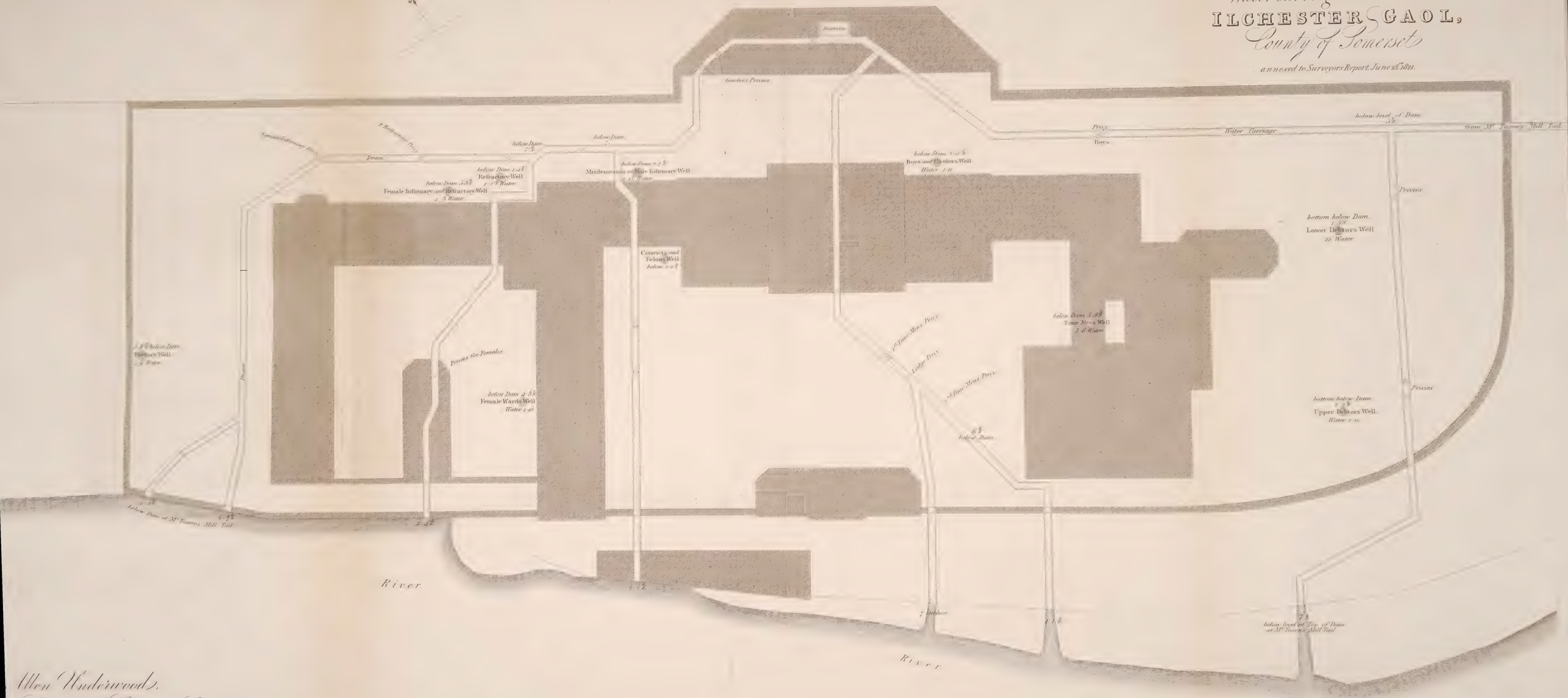
County of Somerset.


Path from Longport
Stable &c.
Court Yard.
Garden and Premises the Property of Mr Tuson.
House.
Poplar Trees from 60 to 80 feet in height.
Poplar Trees from 60 to 80 feet high
Boundary Wall of Gaol.
Larder &c.
Cellar
Land lately purchased of Mr Tuson.
Public Pathway to Longport
The County Gaol
Boundary Wall
Boundary Wall.
Meadow the Property of Mr Tuson.
River Ivel
River Ivel
Road from Ilchester to Shepton Mallett and Wincanton.
Ilchester Bridge
Underwood
the County of Somerset.
Scale of 10 0 10 30 60 70 90 110 130 150 170 190 Feet.
290
390 Feet.

7. Ordered by The HOUSE OF COMMONS, to be Printed, 8th Feb.y 1822.

Plan of the Water Carriages and Drains in ILCHESTER GAOL, County of Somerset

annexed to Surveyors Report June 25th 1821.



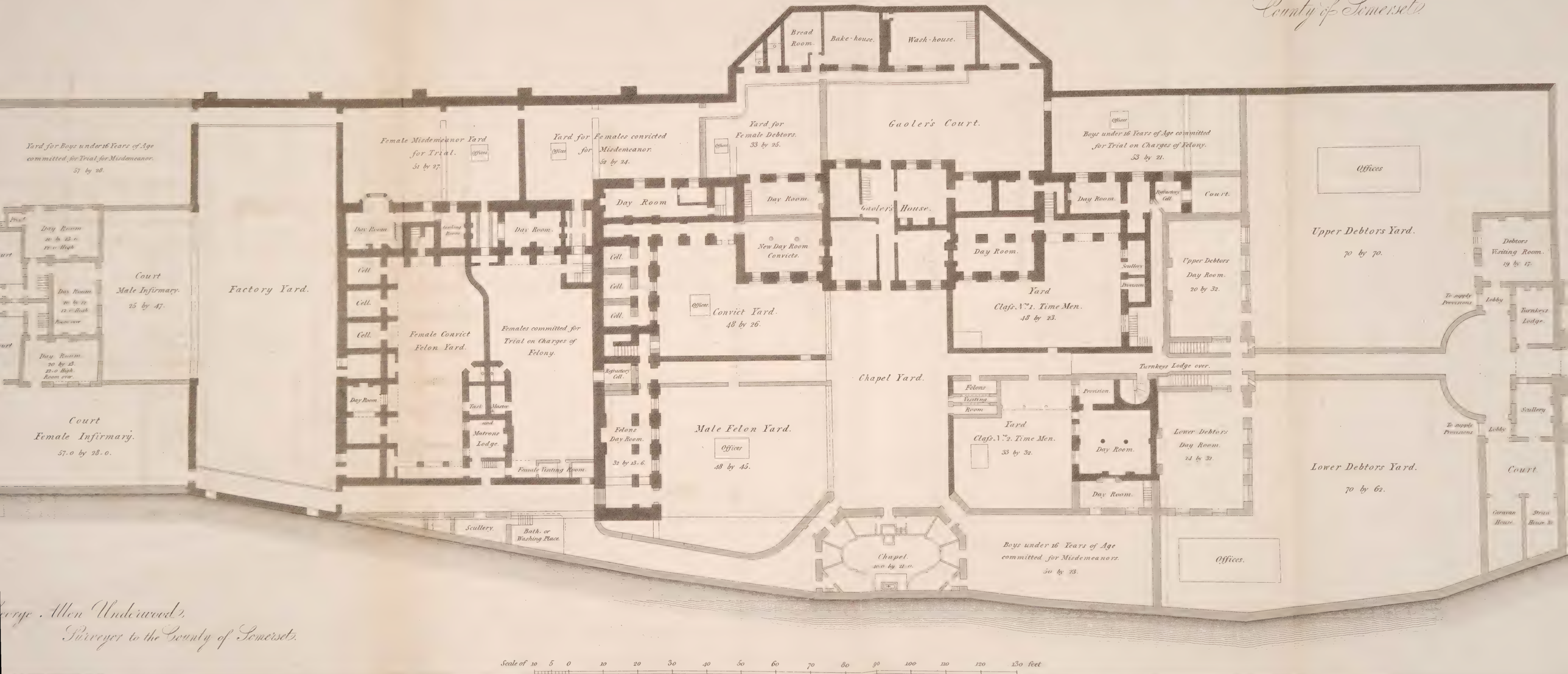
Ellen Underwood.
Surveyor to the County of Somerset.

10 30 50 70 90 100 110 120 130 feet.

J. Ordered, by The HOUSE OF COMMONS, to be Printed, 8th Feb.y 1822.

ight tint *shews the proposed alterations.*

Plan of
proposed Alterations and Additions to
ILCHESTER GAOL,
County of Somerset.


Yard for Boys under 16 Years of Age committed for Trial for Misdemeanor. 57 by 28.
Court Male Infirmary. 25 by 47.
Factory Yard.
Court Female Infirmary. 57.0 by 28.0.
Day Room 20 by 13. 12.0 High.
Day Room 20 by 13. 12.0 High. Room over.
Female Misdemeanor Yard for Trial. 51 by 27.
Yard for Females convicted for Misdemeanor. 52 by 24.
Bread Room.
Bake-house.
Wash-house.
Yard for Female Debtors. 33 by 25.
Gaoler's Court.
Day Room.
Gaoler's House.
New Day Room Convicts.
Cell.
Female Convict Felon Yard.
Females committed for Trial on Charges of Felony.
Gaoling Room.
Taskmaster and Matrons Lodge.
Female Visiting Room.
Refractory Cell.
Convict Yard. 48 by 26.
Chapel Yard.
Felons Day Room. 32 by 13.6.
Male Felon Yard. 48 by 45.
Offices
Scullery.
Bath. or Washing Place.
Chapel. 40.0 by 21.0.
Boys under 16 Years of Age committed for Trial on Charges of Felony. 33 by 21.
Yard Class. N.o 1. Time Men. 48 by 23.
Court.
Upper Debtors Day Room. 20 by 32.
Upper Debtors Yard. 70 by 70.
Debtors Visiting Room. 19 by 17.
To supply Provisions
Lobby
Turnkeys Lodge.
Turnkeys Lodge over.
Felons Visiting Room
Provision
Yard Class. N.o 2. Time Men. 33 by 32.
Lower Debtors Day Room. 24 by 39.
Lower Debtors Yard. 70 by 62.
Scullery
Court.
Caravan House.
Straw House.
Boys under 16 Years of Age committed for Misdemeanors. 50 by 23.

George Allen Underwood,
Surveyor to the County of Somerset.

Scale of 10 5 0 10 20 30 40 50 60 70 80 90 100 110 120 130 feet

7. Ordered, by The HOUSE OF COMMONS, to be Printed, 8th Feby 1822.

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ILCHESTER GAOL.

APPENDIX

TO

Report* of the Commissioners appointed to inquire into the State of Ilchester Gaol.

Ordered, by The House of Commons, *to be Printed,*
27 *February* 1822.

* *Ordered to be printed,*
8 *February* 1822.—No. 7.

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APPENDIX

TO

Report of the Commissioners appointed to inquire into the State of Ilchester Gaol.

(A.)

The Appointment of the Clerk to the Commissioners.

WE whose names are hereunder written, being the Commissioners appointed by His Majesty's Commission under the great seal of the United Kingdom of Great Britain and Ireland, bearing date at Westminster the ninth day of May in the second year of His present Majesty's reign, to make a diligent and strict inquiry by all lawful ways and means whatsoever, whether any and what abuses have existed or do exist in the management of Ilchester Gaol, or of the prisoners therein confined, and what remedies have been adopted, or may now properly be applied thereto, and what regulations or provisions may be necessary or proper for the better management of the said prison and of the prisoners confined therein, and for the prevention of abuses therein in future, and also touching the site and buildings of the same; Do, by virtue and in pursuance of the power and authority to us given in that behalf, hereby nominate and appoint William Osman of Turner-street, Whitechapel, in the county of Middlesex, gentleman, to be and act as our clerk for the purpose of aiding us in the execution of the said commission. Dated this twenty-fourth day of May one thousand eight hundred and twenty-one.

Thos Gn Estcourt. *C. G. Mundy.* *J. D. Phelps.*

(B.)

Order to the Governor to admit into the Gaol all Persons having Communications to make to the Commissioners.

TO the Keeper of His Majesty's Gaol at Ilchester.—Whereas His Majesty hath been pleased to issue his Commission requiring us to make a diligent and strict enquiry by all lawful ways and means whatsoever, whether any and what abuses have existed or do exist in the management of Ilchester Gaol, or of the prisoners therein confined, and what remedies have been adopted or may now properly be applied thereto, and what regulations or provisions may be necessary or proper for the better management of the said prison and of the prisoners confined therein, and for the prevention of abuses therein in future, and also touching the site and buildings of the same, you are hereby directed to admit into the said gaol, all and every person and persons who shall or may be desirous of making any application or communication to us touching the premises, during our sittings under the said Commission; and herein you are not to fail. Given under our hands at Ilchester, this twenty-fourth day of May 1821.

(Signed) *Thos Gn Estcourt.* *C. G. Mundy.* *J. D. Phelps.*

(C.)

Notice affixed on the doors of the Gaol of the Commission being opened.

Ilchester, 24th May 1821.

NOTICE is hereby given, that the Commissioners appointed by His Majesty's Commission to make a diligent and strict inquiry by all lawful ways and means whatsoever, whether any and what abuses have existed or do exist in the management of Ilchester Gaol, or of the prisoners therein confined, and what remedies have been adopted or may now properly be applied thereto, and what regulations or provisions may be necessary or proper for the better management of the said prison and of the prisoners confined therein, and for the prevention of abuses therein in future, and also touching the site and buildings of the same, have opened the said Commission, and are now proceeding thereon at the said gaol, where all persons desirous of preferring any complaint, or offering any matter touching the objects of the Commission may forthwith appear, and they will be heard.

(By order) *William Osman*, Clerk to the Commission.

(D.)

Code of Rules hung in various parts of the Gaol.

Taunton Sessions, 1st October 1810.

SOMERSET, *(to wit.)* Rules and Regulations made for Ilchester Gaol, and the several Persons therein whom it may concern, to be in force and observed, till further Orders shall be made therein.

First:—THAT one hour from nine o'clock in the morning, one hour from twelve o'clock at noon, and one hour from three o'clock in the afternoon, be allowed the debtors and such other of the prisoners as are allowed to see their friends; but they are not to be permitted to enter the Gaol twice in any one hour; but the wife of any prisoner not being a debtor shall not be admitted into any part of the gaol than the visiting room at the lodge.

Second:—That it be allowed any prisoner, in the consultation room of the said gaol, to have a solicitor to attend him or her at seasonable times in the day till four o'clock in the afternoon; such solicitor first entering his name and place of abode in the turnkey's book, and the name of the prisoner he hath business with.

Third:—That no person but the prisoners committed to the gaol be permitted to lodge therein, (except the governor, his officers, and their wives and families.)

Fourth:—That other persons may be permitted to visit the prisoners in the day time in case of sickness of such prisoners, and the wives of any prisoners who are debtors, from nine in the morning till five o'clock in the afternoon; such wife first applying to the gaoler, and in his absence, to the turnkey, and entering her name and place of abode in the book in the turnkey's lodge, and declaring herself to be the actual wife of such prisoner; but that such wife shall not be permitted to enter the gaol more than twice in any one day.

Fifth:—That any butcher, potatoe seller, or other persons having other food or victuals to sell, may have daily access to the gaol to sell the same, from nine o'clock in the morning till four in the afternoon; such person or persons having such articles to sell to remain with the turnkey in the turnkey's lodge, or passage of the same, or in the passage of the debtors apartment below stairs, leading to the debtors court, for a reasonable time, at the discretion of the governor, and in his absence, of the turnkey.

Sixth:—That dealers in milk may be permitted to come into the gaol with milk for sale, at all seasonable times in the day, at the discretion of the governor, and in his absence, of the turnkey.

Seventh:—That the prisoners in the gaol do give in a list to the governor of all articles, provisions or necessaries that they may want once a day, at nine in the morning and three in the afternoon, (except on Sundays) that the governor shall send out and procure the same at any shop or shops in the town, and the prices to be affixed by the shopkeepers and tradesmen to the different articles; and that the prisoners do pay the governor for the articles on or before the delivery, he, the governor, accounting to the shopkeeper or tradesmen for the same.

Eighth:—That no prisoners shall be allowed to be supplied with, or to drink more than one pint of wine, or one quart of beer or cider, in twenty-four hours, and that it be delivered once a day in the morning.

Ninth:—If complaint made by the debtors of the supply being exorbitant in price or bad in quality, the governor be directed to discontinue the person then serving, and to order a supply from another house, till the opinion of the visiting magistrates be taken.

Tenth:—That no other liquor than water, milk, whey, butter milk or tea be admitted into any division of the gaol except that of the debtors, and into the hospital ward. If any unconvicted prisoners have money, he may employ it in purchasing any article of meat or vegetable without restraint.

Eleventh:—When a wife or friend of debtors comes to see a debtor in the visiting room, from any parish (except Ilchester and Northover), that it may be permitted for such wife or friend to send for a quart of liquor from the public house supplying the gaol with liquor for that quarter, to be drank in the visiting room only, by such debtor, wife or friend; but no such allowance to be granted to any prisoner more than once in any day.

Twelfth:—That no person employed in or about the gaol do carry any letter or paper to or from any of the prisoners without the knowledge of the gaoler or turnkey; such letter to be indorsed with the name of the gaoler or turnkey in the proper hand writing of such gaoler or turnkey.

Thirteenth:—That no apothecary or surgeon attending the gaol (except the gaol surgeon) be allowed to visit any prisoner in their apartment after the first visit, unless such apothecary or surgeon shall certify in writing under his hand in the book in the turnkey's lodge, that it would be dangerous for such prisoner to leave his room, and to attend such apothecary or surgeon in the visiting room. Also, that no medicine be allowed to be sent into the gaol for any prisoner therein, by any person except the gaol surgeon, unless such medicines be delivered to the governor or the turnkey, with a label thereon specifying the nature of the medicine, such specification being signed by such apothecary or surgeon; such medicine to be from time to time subject to the inspection of the gaol surgeon.

Fourteenth:—That no county beds be allowed in the upper debtors ward, but that the persons so inhabiting the same do provide beds and furniture for themselves; in default of their neglecting or refusing to do this, it is ordered, that they be placed in the lower ward.

Fifteenth:—

Fifteenth:—That no debtor be allowed to inhabit the upper ward unless he is cleanly in his person and in his room, and keeps all his utensils clean, and pays his proportion to the constable for doing the menial offices of the ward; any debtor not complying with these rules, to be removed into the lower ward.

Sixteenth:—The publican providing the liquor, to serve for three calendar months, commencing from the first day of the month next after each quarter session.

Seventeenth:—That the lights in all the debtors rooms be put out at ten o'clock at night.

Eighteenth:—That the gaoler account for and pay the fees received, to the treasurer of the county, at every Midsummer sessions, and make entry in his account book of the several persons discharged, and fees remitted, and the amount thereof.

Nineteenth:—That such debtors receiving the county allowance who shall absent themselves from divine service, shall be deprived of such allowance, unless such absence shall be occasioned by sickness.

Twentieth:—That every prisoner who during his confinement shall have submitted to the regulations with decency, respect, and attention, and who has not been guilty of swearing or drunkenness, or any attempt to acquire more liquor than is allowed, or of other disorderly practices, shall receive a certificate of such good conduct from one visiting magistrate, which certificate shall be a discharge of all and every fee payable to the keeper or gaoler.

Twenty-first:—Any respectable application that may be thought necessary to be made, and signed by the name of the individual making it, when coming from the debtor side of the gaol, to be addressed to the under-sheriff; when coming from any other of the departments of the gaol, to be addressed to John Acland, esq. chairman of the quarter session, will be duly attended to, but that no application be signed by more than one person.

Twenty-second:—That three copies of these Rules and Regulations be forthwith written on parchment affixed to boards, and hung up in different parts of the prison, (viz.) in the Lodge, in the two debtor day rooms, and entered in the quarter sessions' ledger.

J. Acland. *W. Hanning.* *Francis Drake.* *G.P. Seymour.* *L.H. Luxton.*
R.T. Combe. *H. Hobhouse.* *J. Guerin.* *W. Dickinson.* *I. F. Luttrell.*

A. Moody. *T. Buckler Lethbridge.* *A. Elton.*
W. H Colston. *W. A. Sanford.* *J. T. Warre.*

Somerset Gaol, (*to wit.*) At the General Quarter Sessions of the peace, held at the Castle of Taunton, the 13th day of October 1817, &c.

Upon the report of the visiting justices for the last quarter, that much inconvenience has been experienced from the existence of the Eleventh Rule of the Rules and Regulations applicable to the several debtors confined in this gaol, (which Rule is in these words: "When "a friend or wife of debtors comes to see a debtor in the visiting-room, from any parish "except Ilchester and Northover, that it may be permitted to such wife or friend to send "for a quart of liquor from the public house supplying the gaol with liquors for that "quarter, to be drank in the visiting-room only by such debtor, wife, or friend; but no "such allowance to be granted to any prisoner more than once in any day,") made at the Michaelmas sessions, one thousand eight hundred and ten: It is ordered, That the said Rule be rescinded; and the same is hereby rescinded accordingly.

(By the Court) *Coles,* Clerk of the Peace.

(E.)

Code of Rules entered in the Magistrates' Journal.

Rules and Regulations for Ilchester Gaol.

Governor's Salary.

THE governor shall be paid a salary of £.460. per annum, and shall be allowed in his disbursements the amount of property-tax, as long as such tax shall continue, and all other rates and taxes charged on the house. The governor to find and provide mops, brooms, and brushes for keeping the gaol clean, and coals and candles for his own use. Such salary, &c. to be paid out of the county stock.

Turnkeys.

The turnkeys to be appointed by the sheriff (if present), and in his absence by the under-sheriff and magistrates at the quarter sessions;—that, in addition to their present salary, they shall be allowed the sum of ten pounds each for coals and candles;—that their salaries shall from time to time be paid out of the county stock to the governor, who shall pay the same over to such turnkeys.

FEES.

The governor or turnkeys shall not be entitled, for his or their own use, to any of the fees for receiving any prisoner into, or discharging any prisoner out of, custody; but that such fees shall be received by the governor, and accounted for by him at or previous to every quarter sessions, or oftener if required so to do, and that the same shall be carried to the account of the county, and applied in such manner as the court of quarter sessions shall direct: but, nevertheless, the governor shall receive for his own use the usual allowances for executing criminals, or inflicting corporal punishments, as allowed in the sheriff's cravings,

or heretofore paid or allowed by the Court of Quarter Sessions, or in any other manner, (he finding and paying the executioner and person to inflict such punishment as usual); and shall also receive for his own use the usual allowance and fees for removing the prisoners to the Hulks, and to and from the assizes and quarter sessions, and for passing of vagrants.

Lodgers or Boarders. The governor shall not be at liberty to take any prisoner or other person (except his confidential clerks or servant) into his house to lodge or board, without the consent in writing of the sheriff or under-sheriff, if such prisoner be a debtor; or if committed by a magistrate, without the consent in writing of the visiting magistrates for the time being.

Governor to inspect Gaol, daily, &c. &c. and a Journal kept. The governor shall regularly see that every part of the gaol is kept clean, shall inspect every part of the gaol daily when he shall be there, and take due care that the cells and beds are kept clean and aired; and that a Journal shall be kept, in which the governor shall enter all the occurrences of the gaol, absence of governor or turnkeys, the cleaning and airing of beds, rooms, &c. &c.

Entries of the Commitment and Discharge of Prisoners. That a regular entry be made by the governor in a book, of the day and hour every prisoner comes into and is discharged from the gaol, and that a copy thereof shall be transmitted to the under-sheriff immediately before and after each term, and after the end of Hilary and Trinity terms, to the time of the respective assizes: such books to be provided at the expense of the county, and regularly kept in the office after mentioned.

Turnkeys under controul of Governor, &c. The turnkeys to be under the control of the governor, subject to the regulation of the sheriff or under-sheriff and the court of quarter sessions; and the governor shall be at liberty to suspend such turnkeys, from time to time, for any improper conduct; but the governor must give immediate notice of such suspension to the under-sheriff and visiting magistrates, who may thereupon appoint a provisional turnkey or turnkeys 'till the ensuing quarter sessions.

Turnkeys to give Security. The turnkeys are to give security to the sheriff, for the faithful discharge of their duty, in the penal sum of £. 100. and a surety.

Governor to report anything particular. If any thing particular happens in the gaol, the governor to report immediately to the sheriff or under sheriff and visiting magistrates.

Absence. The governor is not to absent himself from the gaol for the space of one night, unless in the avocations of his office, without the leave of the sheriff or under-sheriff and of one of the visiting magistrates, in writing, and that all occasional absence for a less time be accounted for in the Journal.—This last regulation to extend to the turnkeys; but the governor shall be at liberty to give either of the turnkeys leave of absence for less than a day.

Lumber. No lumber shall be suffered to remain in or about the prison, or any of the courts thereof, or against or near the outside walls thereof, except only whilst any necessary alterations or repairs are making.

Office. The drawing-room to be set apart for the use of the sheriff, under-sheriff, magistrates, clerk of the peace, and governor, for an office, to be kept for that purpose only; the room to be properly furnished, and books, printed forms, paper, and other stationery provided at the expense of the county; and that a fire be kept in this room during the winter, at the governor's expense.

Inventory. An inventory of all the fixtures and other articles in the gaol, belonging to the county, to be taken and signed by the governor, who is to account for the same when called upon for that purpose by the sheriff, under-sheriff, or quarter sessions.

These Rules to be entered by the clerk of the peace amongst the proceedings of the sessions and in the Journal of the gaol, and a copy left with the under-sheriff.

The governor shall be paid an additional salary of £. 40. per annum, to provide a clerk to keep the accounts, &c. in the said gaol, and also to assist the prisoners confined therein in writing letters, or doing any other business which may be necessary to procure the discharge of such prisoners only, and also to provide a proper turnkey for the inward or female ward.

Governor or Turnkeys not to traffick. Neither the governor or either of the turnkeys shall be allowed to buy or sell any thing, or carry on any traffick whatsoever, within the gaol, or with or on account of any person confined therein.

19th July 1808.

(F.)

Contract for supplying Bread.

Extract from the Magistrates Journal, dated April 26th 1821 :—Present, Rev. Dr. Colston, Rev. J. G. D. Thring, Aaron Moody, esq.

ROBERT KIDDLE agrees to supply the prison with bread from the sixth day of May next to the fifteenth day of July, at the price of twelve shillings per hundred weight. The bread to be standard wheaten, in loaves of three pounds each, of a fair marketable quality, and to be delivered every other day, according to the usage of the prison; that in case

case any complaint should be made during the contract, the visiting justices shall be at liberty to inquire, and if they find the complaint to be well founded, they shall be at liberty to procure bread from any other baker, upon the best terms they can, and to charge the excess of price (if any) to the said Robert Kiddle, to be deducted out of the bill at the end of the contract.

(Signed) *Robert Kiddle.*

(G.)

Notice of the fit time and mode for preferring Complaints, hung in various parts of the Gaol.

SOMERSET, *(to wit.)* AT the General Quarter Session of the peace of our Lord the King, held at the city of Wells, in and for the county of Somerset, on Friday the seventh day of April in the fifty-fifth year of the reign of our Sovereign Lord George the Third, by the grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and in the year of our Lord 1815, before John Acland, Richard Thomas Combe, esquires, and others their companions, justices of our said Lord the King, assigned to keep the peace of our said Lord the King, in and for the county of Somerset aforesaid, and also to hear and determine divers felonies, trespasses, and other misdemeanors committed in the same county.

ILCHESTER GAOL:—Ordered, That in case the gaoler, or any of the officers or prisoners, shall hereafter have reason to complain against each other, they are hereby respectively required to state the grounds of such complaint to the visiting magistrates, the first time they attend the gaol, after they may feel themselves aggrieved, or to the magistrates who may be assembled at the gaol session, usually held the Thursday preceding every general quarter session of the peace, to the end that such magistrates may report the same to the then next general quarter session of the peace; but no complaint is to be received after the said gaol session for any act done before that period: And it is also ordered, That notice hereof be affixed in the most conspicuous parts of the prison, that no person may plead ignorance of the same.

(By the Court,) *Coles, D.*
Clerk of the peace for the county of Somerset.

(H.)

Order of Sessions to revise the Rules, to examine into the system of Labour, and to rescind 11th Rule of Code (D.)

SOMERSET, *(to wit.)* AT the General Quarter Session of the peace of our Lord the King, held at the Castle of Taunton, in and for the county of Somerset, on Monday the thirteenth day of October, in the fifty-seventh year of the reign of our Sovereign Lord George the Third, by the grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and in the year of our Lord 1817, before John Acland, esq. chairman, the Reverend Sir Abraham Elton, baronet, and others their companions, justices of our said Lord the King, assigned to keep the peace of our said Lord the King, in and for the county of Somerset aforesaid, and also to hear and determine divers felonies, trespasses, and other misdemeanors committed in the same county.

ORDERED, That John Acland, William Dickinson, John Phelips, John Goodford, William Hanning, Aaron Moody, Thomas Poole, Vincent Stuckey, and John Thring, esquires, be appointed a committee, any three to be a quorum, for the purpose of examining into the system of labour carried on within the gaol and house of correction, and to form a scheme of account calculated to show the profit and loss arising from the labour of the prisoners; and also to revise the existing Table of Rules, Orders, and Regulations for the government of the gaol and house of correction; and that the said committee be requested to report thereon, at the next or some other subsequent general quarter session of the peace.

Upon the report of the visiting justices for the last quarter, that much inconvenience has been experienced from the existence of the eleventh rule of the Rules and Regulations applicable to the several debtors confined in this gaol, which rule is in these words, "When "a friend or wife of debtors comes to see a debtor in the visiting room, from any parish (ex- "cept Ivelchester and Northover,) that it may be permitted to such wife or friend to send for "a quart of liquor, from the public house supplying the gaol with liquor for that quarter, "to be drank in the visiting room only, by such debtor, wife, or friend, but no such allow- "ance to be granted to any prisoner more than once in any day;" made at the Michaelmas session 1810: It is ordered, that the said rule be rescinded; and the same is hereby rescinded accordingly.

(I.)

Order of Sessions, approving of a Draft of Rules laid before a former Sessions, &c.

SOMERSET, *(to wit.)* AT the General Quarter Session of the peace of our Lord the King, held at the city of Wells, in and for the county of Somerset, on Monday the eighth day of January, in the first year of the reign of our Sovereign Lord George the Fourth, by the grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and in the year of our Lord 1821, before Sir Abraham Elton, baronet, and William Dickinson, esquire, Chairmen, and others their companions, Justices of our said Lord the King, assigned to keep the peace of our said Lord the King, in and for the County of Somerset aforesaid, and also to hear and determine divers felonies, trespasses and other misdemeanors committed in the same county.

ILCHESTER GAOL and HOUSE OF CORRECTION:—The Committee appointed at a former session for a revision of the existing Rules, Orders and Regulations for the government of this gaol and house of correction, and for other purposes, having presented to the court at the last session, a draft of certain Rules Orders and regulations for the government of Ilchester Gaol and House of Correction, the consideration whereof was adjourned to this present session, and the same having now been read and duly considered by this Court: Ordered, That the same be confirmed, and they are in the form and to the effect set forth in the draft now delivered in and signed by the chairman and other justices now assembled, confirmed accordingly: And it is also ordered, That the same be submitted to the judges of assize, at the next assizes to be holden in and for this county, for their revision and confirmation, pursuant to the statute in that case made and provided: And it is also ordered, That the clerk of the peace do state a case for the opinion of Mr. Serjeant Lens, as to the power of the sheriff to make orders and rules in regard to the treatment of prisoners confined in the said gaol, in opposition or contradiction to orders made by the magistrates; and whether orders and rules made by the magistrates at the quarter sessions, could be acted upon before they were sanctioned by the judges; and that the clerk of the peace do report such opinion at the next session.

(K.)

Report of the Committee appointed to examine into the System of Labour, &c.

To the Justices of the Peace, of the county of Somerset, assembled at the Epiphany General Quarter Sessions of the peace, holden at the city of Wells, on Monday the 11th day of January 1819.

WE, the underwritten members of the committee appointed at a former session, for the purpose of examining into the system of labour carried on within the gaol and house of correction at Ivelchester, and of forming a scheme of account, calculated to show the profit and loss arising from the labour of the prisoners, and also to revise the existing Rules and Regulations of the said gaol and house of correction, have to report as follows:

We have every reason to be satisfied with the system of labour carried on in the gaol and house of correction.

It has been obviously the result of much experience in, and zealous attention to, the several branches of industry, which could with the most propriety and convenience have been adopted, and which have been prosecuted with a regularity, spirit and effect seldom seen, where discipline was less exact.

The new buildings erected, and the various improvements made by prison labour, exhibit specimens of masonry and carpentry rarely equalled, and which appear to us to have been executed at less than half the expense had workmen been hired and brought into the gaol for the purpose.

The whole cloathing of the prisoners has been manufactured and made by their own industry; and considerable supplies of cloathing have been afforded the prisoners confined in the two other houses of correction in this county, free of expense to those establishments.

The extensive concern of the laundry has been well conducted; and a great portion of every part of this useful labour has been effected by many, who appeared at the commencement of their imprisonments, to have been ignorant of all honest means of earning their bread.

Some of the sources of employment in the buildings of the gaol are diminishing—and as we understand, that the grinding of corn is practised in some other gaols, we beg leave to suggest the propriety of the introduction of a similar practice in Ivelchester Gaol, provided adequate machinery can be obtained at a moderate expense, and we would recommend, that the bread for the consumption of the gaol be baked therein, for which the requisite conveniences already exist.

We also think an extension of the manufactures worthy the consideration of the court, equal to the demand which can be obtained, without rendering them at a less price than is charged by manufacturers in general of similar articles; for although some loss has been sustained

sustained by them, yet they have afforded, and will continue to afford, in our opinion, much useful instruction to those employed.

In consequence of the diminution of employment in the buildings before alluded to, a committee of justices assembled at the gaol, previous to the last Easter general quarter session of the peace, directed, until further ordered, that the employment of debtors should be discontinued, except useful mechanics, and that all those who were entitled to the county allowance should receive the same in lieu thereof.

We are of opinion, that this judicious order has proved a saving to the county, as in the quarter preceding, it will appear, on a reference to the document accompanying this report, No. 1 *, that the sum of £. 74. 7 *s.* 4*d.* was paid to debtors for work in addition to one-fourth of that sum, £. 18. 11 *s.* 10 *d.* as a per centage on the labour of debtors hitherto divided between the governor and task-master, making together the sum of £. 92. 19 *s.* 2 *d.*; and that the county allowance to the same debtors during that period, would have amounted to £. 50. 4 *s.* 6 *d.* only, leaving a sum of £. 42. 14 *s.* 8 *d.* against the county; a difference, probably, not compensated by the labour performed; at all events, we are of opinion, that no view of the situation of debtors, makes it advisable to employ them, except it be with advantage to the county. In the quarter immediately succeeding, the whole sum paid to debtors for labour amounted to but £. 10. 2 *s.* 5*d.* and in the following quarter to £. 3. 17 *s.* 8 *d.*

We find that the wages of labour have been estimated at nine-pence per day for common labourers, and from nine-pence to sixteen-pence per day for mechanics.

Debtors have been paid for their support the whole of the said wages, not having received, when permitted to work, the county allowance directed by law for such as could not maintain themselves. The wages of the other prisoners have been divided into four parts,—one-fourth part of which has been appropriated to the advantage of the prisoner, one-fourth divided between the governor and task-master, and the remaining two-fourths carried to the credit of the county: a third part of the fourth so appropriated to the prisoner, if a common labourer, has been funded, that is, reserved for him until discharged from prison; if a mechanic, a quarter only has been funded, the remainder of the prisoner's fourth having been paid to him to afford him additional sustenance beyond the prison allowance, which addition, we are of opinion, was necessary to a person at labour. On this point, we have to observe, that with respect to those who have been convicted of offences, and were sentenced to hard labour, it would probably have been more consonant to law to have supplied them with certain additional sustenance, than to have allowed them the proportion of their earnings to expend for themselves.

With respect to the governor's and taskmaster's proportion, we have to state, that it does not appear to us, that the county is authorized by law to remunerate more than one person in one prison in the character of task-master; and we are therefore of opinion, that the remuneration of the governor for his services should not arise from any proportion of estimated labour, or from any other source than that of a fixed salary.

With pleasure we take this opportunity of bearing testimony to the zeal, activity and intelligence manifested by the governor and task-master, within their respective departments.

The next object intrusted to us, was to form a scheme of account calculated to show the profit and loss arising from the labour of the prisoners.

On examination, we have had the satisfaction of finding that by a very little alteration in the form of keeping the accounts, and by directing the value to be taken of the materials, implements and stock, belonging to the various branches of labour and manufacture carried on; and by taking an account of, and estimating the work done at the prices which must have been paid if labourers had been hired, or if the articles manufactured had been purchased, documents would exist, from which at any time could be ascertained the profit or loss incurred by the county, from the time such account of the stock, &c. was taken; as these directions were given soon after the appointment of your committee, we are enabled to lay the annexed account before the court, which shows the pecuniary result of the whole labour in the gaol from the 3d January 1818 to the 2d January 1819, both inclusive.

On inspecting the said annexed Account, it will be obvious, as before remarked, that a loss has been sustained by the manufactures; but there is reason to hope in consequence of the machinery lately introduced, and the additional proficiency which experience will afford the prisoners, that in future, instead of a loss, a profit may be expected.

It is moreover to be remarked, that the county is required to find labour for prisoners in houses of correction, and it is difficult to provide sources of profitable employment.

We doubt not, that the court will see the propriety of directing an account, similar to the one annexed, to be annually presented.

In regard to the remainder of our duty, which refers to the revision of the Rules and Regulations of the gaol, we have to state, that some progress has been made, and we hope to make a report thereon, at a future session.

W. Dickinson,
J. Phelips,
Thomas Poole,
Vincent Stuckey,
A. Moody,
John Thring,
J. Palmer Acland.

* This document is in the office of the Clerk of the Peace, where the same may be inspected.

STATEMENT of Labour performed by Prisoners in the Gaol and House of

Dr.

		£.	s.	d.	£.	s.	d.
To inventory of tools, &c. carpenters, January 3d, 1818	No. 2.*	-	-	-	21	16	6
To cash paid carpenters, House of Correction	No. 3.	17	2	1½			
To governor and taskmaster for superintendance		17	2	1½			
To cash paid debtors	No. 3.	18	3	2	56	18	2
To governor and taskmaster for superintendance		4	10	9			
To cash paid for tools and repairing	No. 4	-	-	-	5	16	3
To inventory of tools, &c. masons	No. 5.	-	-	-	27	19	6
To cash paid masons, House of Correction	No. 3.	13	9	2			
To governor and taskmaster for superintendance		13	9	2			
To cash paid debtors	No. 3.	2	13	4	30	5	—
To governor and taskmaster for superintendance		—	13	4			
To cash paid for tools and repairing	No. 6.	-	-	-	3	19	10
To inventory of articles in the laundry, January 3d, 1818	No. 7.	-	-	-	25	13	6
To cash paid prisoners in the laundry	No. 3	46	—	9½			
To governor and taskmaster for superintendance		46	—	9½	92	1	7
To cash paid for soap		77	9	10½			
To cash paid for wood ashes		3	9	4½			
To cash paid for scissars, &c.	No. 8.	1	2	8	95	1	11
To cash paid for new furnace		11	2	6			
To cash paid for sad irons, ironing box, &c.		1	17	6			
To cash paid tailors, House of Correction	No. 3.	17	3	8			
To governor and taskmaster for superintendance		17	3	8			
To cash paid debtors	No. 3.	3	17	—	39	3	-
To governor and taskmaster for superintendance		—	19	3			
To cash paid for large shears	No. 9.	-	-	-	—	13	—
To cash paid for stone pollers and labourers, House of Correction	No. 3.	25	19	2			
To Governor and taskmaster for superintendance		25	19	2			
To cash paid debtors	No. 3.	60	13	7	127	15	3½
To governor and taskmaster for superintendance		15	3	4½			
To cash paid repairing tools	No. 10.	-	-	-	10	19	9
To cash paid cooks, constables, and nurses, House of Correction		34	12	10½			
To governor and taskmaster for superintendance		34	12	10½			
To cash paid debtors		2	18	—	72	18	3
To governor and taskmaster for superintendance		—	14	6			
To inventory of stock in trade looms, &c. January 3d 1818, manufactory	No. 11.	-	-	-	181	18	3
To cash paid manufacturers, House of Correction	No. 3.	80	2	5			
To governor and taskmaster for superintendance		80	2	5			
To cash paid debtors	No. 3.	8	4	—	170	9	10
To governor and taskmaster for superintendance		2	1	—			
To sundry bills for yarn		159	5	3			
To - - D° - - for stays and harness		16	12	—			
To cash paid for flour and fat		5	10	11½			
To sundry bills for wool		180	6	3			
To - - D° - - for soap		8	6	10			
To - - D° - - for oil and dye stuff		57	14	10			
To value of new looms		16	—	—			
To sundry bills for machinery, and articles thereunto belonging	No. 12.	69	—	4	547	14	—½
To cash paid for shuttles		1	3	3			
To - D° - for charcoal		6	8	4			
To - D° - for brushes		—	12	9			
To - D° - for twine, tweezers, &c.		2	9	6			
To - D° - for broad loom, carriage, &c.		13	13	6			
To - D° - for cards		4	2	—			
To value of new turns, &c.		3	14	—			
To cash paid for cogg wheels, for looms, &c.		2	14	3			
To inventory of stock in trade, &c. (shoemakers) January 3d, 1818	No. 13.	-	-	-	15	14	3
To cash paid shoemakers, House of Correction	No. 3.	5	11	10			
To governor and taskmaster for superintendance		6	5	2	15	4	6
To cash paid debtors	No. 3.	2	14	—			
To governor and taskmaster for superintendance		—	13	6			
To sundry bills for leather, &c.		81	—	6½			
To - - D° - - for sundries		5	4	9	87	6	3½
To cash paid for awl blades		1	1	—			
To governor and taskmaster's share on the forfeited wages		-	-	-	12	8	2½
					1,641	17	6
Balance in favour of Prison Labour					48	7	10
				£.	1,690	5	4

* This and the other Documents referred to by the Numbers are in the offices of the Clerk of the Peace, where they may be inspected.

Correction, at Ivelchester; from January 3d, 1818, to January 2d 1819.

Cr.

	£. s. d.	£. s. d.
By amount of carpenters work as per book - - - No. 15.	101 13 5½	122 15 5½
By tools as per inventory, January 2d 1819 - - - No. 16.	21 2 —	
By amount of masons work as per book - - - No. 15.	108 1 1	137 14 1
By tools as per inventory, January 2d, 1819 - - - No. 17.	29 13 —	
By amount of laundry work as per book - - - No. 18.	207 1 10½	248 6 8½
By inventory of laundry articles, January 2d, 1819 - No. 19.	38 19 —	
By cash old furnace sold - - - - - - - - -	2 5 10	
By amount of tailors work as per book - - - - No. 18.	43 14 6	44 10 —
By shears and iron - - - - - - - - - -	— 15 6	
By amount of stone poller's work as per book - - No. 15.	- - -	88 10 4
By D° - 658 feet 4 inches, and 103 feet 5 inches, stones polled by debtors - - - - - - No. 3.	38 1 9	60 13 7
By stones polled by debtors at day work - - - - - -	22 11 10	
By estimated value of labour - - - - - - - - -	- - -	155 16 6

N.B.—This branch of expense has been incurred by the prevalence of fever, and other sickness in the gaol during the past year. If nurses and attendants had been hired and brought into the prison, a still greater expense would have been incurred.

By inventory of stock in trade, &c. (manufactory) January 2d, 1819 - - - - - - No. 21.				- - -	394 4 1½	
	s.	*d.*				
By 374½ yards bed tick - - -	0.	21.	- - -	32 15 4½		
By 715 yards dowlass - - -	0.	19.	- - -	56 12 1		
By 262½ yards blanketing - - -	4.	6.	- - -	59 1 3		
By 68½ - - D° - - -	6.	0.	- - -	20 11 —		
By 26½ - - D° - - -	6.	9.	- - -	8 18 10½		
By 33½ yards of cloth - - -	4.	3.	- - -	7 2 4½		
By 248½ d° of men's linsey - -	3.	6.	- - -	43 9 9		
By 218½ yards of linsey - - -	2.	2.	- - -	23 13 5		
By 12½ yards flannel - - - -	0.	22.	- - -	1 2 11		
By 100½ yards brown towelling - -	0.	15.	- - -	6 5 7½		
By 57½ yards brown sheeting - -	0.	18.	- - -	4 6 3		
By 27 yards white - D° - - -	0.	15.	- - -	1 13 9	337 3 11½	
By 23 yards white dowlass - -	0.	16.	- - -	1 10 8		
By 24 yards - - D° - - -	0.	18.	- - -	1 16 —		
By 40 yards brown canvas - -	0.	12.	- - -	2 — —		
By 51 ¼lb. of worsted - - -	5.	6.	- - -	14 1 10½		
By 110 yards cloth - - - -	4.	3.	- - -	23 7 6		
By 28½ yards white kerseycloth -	4.	6.	- - -	6 8 3		
By 12 rugs each, 12 and 13 by 8 -	-	-	- - -	15 8 —		
By 16½ yards coloured linsey - -	2.	6.	- - -	2 1 3		
By 16½ yards - - D° - - -	2.	6.	- - -	1 6 3		
By 33 yards - white - - -	2.	2.	- - -	3 11 6		
By amount of county shoe bills, as per book - - - -				- - -	78 14 2	
By inventory of stock in trade, January 2d, 1819 - - No. 20.				- - -	21 16 5	
					1,690 5 4	

(L.)

Report of the Committee appointed to frame a Table of the Annual Expenditure of the County.

To the Justices of the Peace of the County of Somerset, assembled at the Michaelmas General Quarter Session of the Peace, at the Castle of Taunton, on Monday, the 19th day of October 1818.

WE, the undersigned, members of the committee appointed by an order of the last Easter session, for the purpose of framing a table of the annual expenditure of this county, from Easter 1759 to Easter 1818 inclusive, beg leave to lay before the court the accompanying result of our endeavours to carry into effect the directions of such order.

We have to observe, that in consequence of the non-existence in the clerk of the peace's office, of the annual accounts of the treasurers, although the 12th of Geo. II. chap. 29th, sect. 8th, expressly enacts, that these accounts as well as the vouchers shall be there lodged, we have been under the necessity of drawing our materials for this table partly from the annual statements which have been occasionally published in the *Sherborne Mercury*, under the authority of the court, and partly from documents with which we have been furnished by the respective treasurers.

We have confined ourselves to the terms of the order, in exhibiting the expenditure under the usual general heads, without specifying the several items comprized under that of "*Sundries by order of Court;*" but should the court think fit to call for the details of these items, the vouchers in the custody of the clerk of the peace will, we presume, furnish them to the fullest extent. We have excluded altogether the head "*Corn Returns,*" because the payments on this account are merely nominal, the amount or them being reimbursed by government; and we have transferred the sums stated to have been paid under the head "*Manufactories in Prisons,*" to the general head "*Keepers of Prisons,*" because they have an intimate and necessary connexion with the police and due management of prisons, and would therefore more properly be comprized in the statement of the general expenses attending them in the shape of a debtor and creditor account, by which the profit or loss on such manufactories would distinctly appear. It would give an incorrect view of the expenditure under this head, if the sums advanced on account of manufactories should appear as a charge upon the county, unless credit were given on the opposite side of the account for the sale price, or value of the articles manufactured.

We hope that it will not be deemed irrevelant to the subject which we have been called upon to investigate, if we take leave to represent to the court, that it appears to us very desirable that the treasurer's year of account should commence on the 1st of January, and end on the 31st of December of every year; and that it would be of great convenience to the keepers of prisons if their accounts were to be made up quarterly to the 31st of March, the 30th of June, the 30th of September, and the 31st of December, and to be passed at the general quarter sessions next after these periods respectively. The present mode of bringing up their quarterly accounts to the commencement of the sessions does not afford sufficient time for the due preparation of them, (particularly at a moment when they have to make arrangements for the removal of their prisoners to the places of trial), neither have the visiting magistrates sufficient leisure duly to investigate them.

John Acland. *Richard Thos. Combe.* *Francis Drake.*

Dated October the 17th, 1818.

N. B.—The accounts of the western treasurer for the years 1760, 1761, and 1804 not having been furnished, the expenditure of each of these years is that of the eastern treasurer only.

TABLE showing the Annual Expenditure of the County of Somerset, from Easter 1759 to Easter 1818 inclusive, as taken from the Treasurers Accounts.

HEADS OF EXPENDITURE.	1760:	1761:	1762:	1763:	1764:	1765:
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Bridges	59 11 8	33 18 5	73 – 7	122 16 3	251 8 –	114 17 8
Clerk of assize and judges officers	– – –	5 5 –	10 10 –	5 5 –	5 5 –	10 10 –
Clerk to the lieutenancy	—	—	—	—	—	—
Clerks of subdivisions	—	—	—	—	—	—
Clerk of the peace	– – –	– 6 8	6 – –	1 – –	– 13 4	– 13 4
Constables	—	—	—	—	—	—
Coroners	54 2 6	59 10 –	86 13 3	133 – –	161 19 –	134 9 3
Debtors, conveyance of insolvent	—	—	—	—	—	—
Felons, prosecution of	– – –	22 14 –	9 17 –	18 11 2	43 19 4	32 11 8
Felons, transportation of	—	—	—	—	—	—
Halls, improvement of assize	—	—	—	—	—	—
King's Bench and Marshalsea	– – –	– – –	– – –	5 5 –	– – –	15 11 –
Militia and army of reserve, expenses relative to the	1,159 8 11½	904 12 8½	460 6 10	88 1 –	—	—
Population returns	—	—	—	—	—	—
Printing and stationery	– – –	2 8 6	—	—	—	—
Prisoners, conveyance of	9 3 5½	21 19 7	28 2 –½	55 13 7	44 10 9	50 5 7½
Prisons, keepers of	145 14 4	134 14 4	212 18 11	348 13 5	324 – 6¾	318 1 5½
Prisons, repairs and improvements of	– – –	– – –	2 15 –	55 2 5	19 9 5	12 9 –
Prisons, medical attendance at	4 – –	– – –	10 12 3	21 6 –	15 19 10	27 5 2
Prisons, chaplains of	20 – –	5 – –	15 – –	20 – –	20 – –	20 – –
Sewers, commission of	—	—	—	—	—	—
Surveyors salaries	—	—	—	—	—	—
Surveyors bills	—	—	—	—	—	—
Sundries, by orders of court	12 10 –	– – –	– 7 6	—	—	—
Treasurers salaries	17 – –	17 – –	46 5 –	41 5 –	26 5 –	26 5 –
Undersheriff	—	—	—	—	—	—
Vagrants, apprehending and passing of	24 19 –	38 1 11	114 9 5½	192 2 7½	133 12 11½	147 13 2
TOTAL of each year	1,506 9 11	1,245 11 1½	1,077 7 10	1,108 1 7½	1,047 3 2¼	910 12 4

HEADS OF EXPENDITURE.	1766:	1767:	1768:	1769:	1770:	1771:
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Bridges	168 14 3	132 13 4	72 2 8½	213 – 6½	257 9 7½	76 18 1
Clerk of assize and judges officers	5 5 –	5 5 –	5 5 –	– – –	5 5 –	26 5 –
Clerk to the lieutenancy	—	—	—	—	—	—
Clerks of subdivisions	—	—	—	—	—	—
Clerk of the peace	– 13 4	– 13 4	– 13 4	1 – –	23 7 –	– 6 8
Constables	—	—	—	—	—	—
Coroners	114 – 3	158 11 9	132 12 9½	230 5 10¾	120 1 10	141 1 4
Debtors, conveyance of insolvent	—	—	—	—	—	—
Felons, prosecution of	34 – 2	32 3 6	16 17 6	46 15 11¾	4 5 –	35 3 1
Felons, transportation of	—	—	—	—	—	—
Halls, improvements of assize	—	—	—	—	—	—
King's Bench and Marshalsea	– – –	– – –	12 12 –	3 3 –	—	—
Militia and army of reserve, expenses relative to the	– – –	– – –	– – –	– – –	2 11 7	—
Population returns	—	—	—	—	—	—
Printing and stationery	– – –	3 6 4	3 11 1	4 5 9	3 19 –	3 8 6
Prisoners, conveyance of	55 10 1½	60 10 10	56 3 6½	104 7 11	71 18 7½	61 1 5½
Prisons, keepers of	421 14 9½	499 15 6	274 3 1	397 3 2	345 9 10	483 16 –
Prisons, repairs and improvements of	35 – –	43 17 2	15 3 7½	44 12 9½	23 6 2¼	1 – 11
Prisons, medical attendance at	46 8 3	17 9 11	22 4 9	15 10 1	16 12 4	18 7 –
Prisons, chaplains of	25 – –	20 – –	20 – –	20 – –	20 – –	20 – –
Sewers, commission of	—	—	—	—	—	—
Surveyors salaries	– – –	46 5 –	—	—	—	—
Surveyors bills	—	—	—	—	—	—
Sundries, by orders of court	– – –	– – –	– – –	100 1 4	138 14 1	3 5 8
Treasurers salaries	41 5 –	– – –	43 3 –	43 9 –	38 9 –	38 5 –
Undersheriff	—	—	—	—	—	—
Vagrants, apprehending and passing of	212 17 6½	183 18 4½	166 9 5	167 19 2½	117 8 9	314 3 11¼
TOTAL of each year	1,160 8 8½	1,204 10 –½	841 1 10	1,391 14 8	1,188 17 10½	1,223 2 8

Table showing the Annual Expenditure of the County of Somerset—*continued.*

HEADS OF EXPENDITURE.	1772:	1773:	1774:	1775:	1776:	1777:
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Bridges	234 17 3	108 15 5	53 3 2	174 16 -¼	111 1 4	42 11 10
Clerk of assize and judges' officers	15 15 -	10 10 -	10 10 -	10 10 -	10 10 -	10 10 -
Clerk to the lieutenancy	—	—	—	—	—	—
Clerks of subdivisions	—	—	—	—	—	—
Clerk of the peace	- 13 4	77 1 8	95 13 4	- 13 4	114 4 8	- 13 4
Constables	—	—	—	—	—	—
Coroners	160 7 4½	223 4 9	163 - -	180 5 4½	130 16 9	154 14 9
Debtors, conveyance of insolvent	—	—	—	—	—	—
Felons, prosecution of	63 9 10	39 16 -	26 7 6	68 18 6	26 2 6	15 9 6
Felons, transportation of	—	—	—	—	—	—
Halls, improvements of assize	—	—	—	—	—	—
Kings Bench and Marshalsea	- - -	- - -	- - -	- - -	9 9 -	—
Militia and army of reserve, expenses relative to the	—	—	—	—	—	—
Population returns	—	—	—	—	—	—
Printing and stationery	- - -	3 10 -	2 13 -	4 14 2	3 11 9	3 15 -
Prisoners, conveyance of	93 8 1½	109 17 8	81 - 4	73 11 2	89 19 6	96 8 7
Prisons, keepers of	641 1 -	710 1 4	610 15 7½	720 15 9¼	748 19 5¼	756 13 11
Prisons, repairs and improvements of	80 - -	77 16 1	- - -	28 15 3	12 3 6	—
Prisons, medical attendance at	9 14 10	26 9 5	26 14 -	23 11 2	26 8 7	25 1 4
Prisons, chaplains of	20 - -	60 - -	150 - -	137 10 -	162 10 -	175 - -
Sewers, commission of	—	—	—	—	—	—
Surveyors salaries	—	—	—	—	—	—
Surveyors bills	—	—	—	—	—	—
Sundries, by orders of court	- - -	- - -	1 4 6	44 4 2	19 16 -	61 4 -
Treasurers salaries	38 5 -	53 5 -	53 5 -	53 7 -	52 8 -	52 8 -
Undersheriff	—	—	—	—	—	—
Vagrants, apprehending and passing of	261 3 -	389 15 9½	282 3 5½	254 13 4½	282 4 9	313 1 3½
TOTAL of each year	1,618 14 9	1,890 3 1½	1,556 9 11	1,776 5 3½	1,800 5 9¼	1,707 11 6½

HEADS OF EXPENDITURE.	1778:	1779:	1780:	1781:	1782:	1783:
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Bridges	36 8 10	101 7 1	74 17 10	410 17 11	121 17 7	147 11 5
Clerk of assize and judges' officers	10 10 -	10 10 -	10 10 -	10 10 -	10 10 -	10 10 -
Clerk to the lieutenancy	—	—	—	—	—	—
Clerks of subdivisions	—	—	—	—	—	—
Clerk of the peace	- 13 4	70 1 2	1 - -	- 13 4	- 13 4	- 13 4
Constables	—	—	—	—	—	—
Coroners	158 15 6	203 15 8	218 17 6	175 6 -	136 2 6	194 11 3
Debtors, conveyance of insolvent	—	—	—	—	—	—
Felons, prosecution of	77 13 -	85 8 6	69 16 6	73 3 8	50 1 4	167 17 11½
Felons, transportation of	- - -	- - -	- - -	- - -	- - -	201 12 -
Halls, improvement of assize	—	—	—	—	—	—
King's Bench and Marshalsea	- - -	3 3 -	- - -	2 - -	—	—
Militia and army of reserve, expenses relative to the	388 - 9	293 2 5½	194 16 9	145 19 8	203 2 1½	84 3 6
Population returns	—	—	—	—	—	—
Printing and stationery	3 15 -	3 17 2	3 16 8	3 15 -	3 16 -	3 16 2
Prisoners, conveyance of	72 14 10	74 2 10	43 - 6	59 4 11½	101 12 7½	231 - 6½
Prisons, keepers of	766 18 4	632 18 11	591 16 9¾	724 2 4	584 7 2½	1,233 13 5¼
Prisons, repairs and improvements of	- - -	- - -	147 17 9	40 - -	- - -	409 5 5
Prisons, medical attendance at	25 15 -	15 1 9	27 - 4	29 6 1	31 19 6	171 5 1
Prisons, chaplains of	125 - -	150 - -	115 - -	65 5 -	55 5 -	55 10 -
Sewers, commission of	—	—	—	—	—	—
Surveyors salaries	—	—	—	—	—	—
Surveyors bills	—	—	—	—	—	—
Sundries, by orders of court	- - -	- - -	- - -	- 19 7	- 15 5½	- 3 -
Treasurers salaries	55 8 -	93 10 -	73 10 -	73 10 -	73 10 -	74 15 -
Undersheriff	—	—	—	—	—	—
Vagrants, apprehending and passing of	294 14 7	427 6 10½	520 6 4	389 15 2½	586 13 3½	564 16 10
TOTAL of each year	2,016 7 2	2,164 5 5	2,092 6 11¼	2,204 8 9	2,230 5 11½	3,551 4 11½

Table showing the Annual Expenditure of the County of Somerset—*continued.*

HEADS OF EXPENDITURE.	1784:	1785:	1786:	1787:	1788:	1789:
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Bridges	23 16 4	250 11 5	118 5 10	139 4 3	224 4 8	186 1 1
Clerk of assize and judges officers	10 10 –	10 10 –	10 10 –	—	—	—
Clerk to the lieutenancy	—	—	—	—	—	—
Clerks of subdivisions	—	—	—	—	—	—
Clerk of the peace	– 13 4	68 4 6	150 13 4	150 – –	100 6 8	– 13 4
Constables	—	—	—	—	—	—
Coroners	193 16 6	194 6 –	193 11 11	202 10 6	176 – 10	169 8 1
Debtors, conveyance of insolvent	—	—	—	—	—	—
Felons, prosecution of	156 6 9	178 2 –	169 16 10	146 2 6	168 10 1	119 15 6
Felons, transportation of	- - -	274 1 –	- - -	74 9 –	380 – 6	78 11 –
Halls, improvements of assize	—	—	—	—	—	—
King's Bench and Marshalsea	- - -	4 8 6	—	—	—	—
Military and army of reserve, expenses relative to the	3 12 –	—	—	—	—	—
Population returns	—	—	—	—	—	—
Printing and stationery	3 16 6	5 1 4	14 18 6	—	—	—
Prisoners, conveyance of	108 16 –	173 4 9	168 12 7½	173 – 4½	206 4 3	185 1 3½
Prisons, keepers of	1,339 15 9	1,612 7 3½	1,583 7 –½	1,575 17 4½	1,380 17 1½	1,313 19 –
Prisons, repairs and improvements of	149 16 8½	95 2 2	746 13 5	701 7 7	878 6 2	844 5 11½
Prisons, medical attendance at	70 2 1	90 10 10	65 – 11	43 17 7	47 12 11	95 9 9
Prisons, chaplains of	30 – –	45 15 –	37 7 –	—	—	—
Sewers, commission of	—	—	—	—	—	—
Surveyors salaries	—	—	—	—	—	—
Surveyors bills	—	—	—	—	—	—
Sundries, by orders of court	2 5 8	– 13 11	1 6 6	84 16 10	343 10 –	104 1 –
Treasurers salaries	85 15 –	86 6 6	96 16 6	—	—	—
Undersheriff	—	—	—	—	—	—
Vagrants, apprehending and passing of	642 9 7½	633 18 4½	443 5 2	453 15 7	510 5 7½	511 18 –½
TOTAL of each year	2,821 12 3	3,723 3 7	3,800 5 7	3,745 1 7	4,415 18 10	3,609 4 –½

HEADS OF EXPENDITURE.	1790:	1791:	1792:	1793:	1794:	1795:
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Bridges	268 11 2	300 11 2	555 13 –½	595 12 1½	342 18 6½	1,314 8 5½
Clerk of assize and judges officers	10 10 –	- - -	10 10 –	—	—	—
Clerk to the lieutenancy	—	—	—	—	—	—
Clerks of subdivisions	—	—	—	—	—	—
Clerk of the peace	1 – –	– 6 8	175 13 4	175 13 4	19 4 7	168 6 8
Constables	—	—	—	—	—	—
Coroners	218 13 9	217 12 9	255 13 3	233 12 9	182 5 3	211 6 9
Debtors, conveyance of insolvent	—	—	—	—	—	—
Felons, prosecution of	275 10 11	173 9 6	158 13 –	158 13 –	219 10 6	148 2 6
Felons, transportation of	- - -	105 10 –	- - -	10 10 –	- - -	10 10 –
Halls, improvements of assize	- - -	- - -	4 8 6	—	—	—
King's Bench and Marshalsea	—	—	—	—	—	—
Militia and army of reserve, expenses relative to the	- - -	- - -	- - -	- - -	- - -	336 6 10
Population returns	—	—	—	—	—	—
Printing and stationery	9 12 6	- - -	7 7 –	—	—	—
Prisoners, conveyance of	194 9 9	177 14 1	182 12 9	186 17 1	127 19 –¾	156 5 5
Prisons, keepers of	1,370 3 7	1,374 9 6	1,281 19 5½	1,429 5 11½	1,346 14 10	1,208 13 7½
Prisons, repairs and improvements of	333 13 4	234 7 7	1,265 8 9	1,113 10 1	2,130 15 4½	2,114 6 4½
Prisons, medical attendance at	54 3 8	54 3 8	70 11 2	70 11 2	70 15 9	68 16 6
Prisons, chaplains of	50 – –	- - -	40 – –	—	—	—
Sewers, commission of	—	—	—	—	—	—
Surveyors salaries	—	—	—	—	—	—
Surveyors bills	—	—	—	—	—	—
Sundries, by orders of court	61 19 –	171 4 1	4 4 –	157 13 6	383 13 –	219 4 2
Treasurers salaries	96 15 6	- - -	92 14 –	—	—	—
Undersheriff	—	—	—	—	—	—
Vagrants, apprehending and passing of	350 11 3½	457 19 3½	201 3 2½	213 3 8¾	259 7 11½	300 – 10
TOTAL of each year	3,295 14 5½	3,267 9 –½	4,306 11 5½	4,345 2 8¾	5,083 4 10¼	6,256 8 1½

(*continued.*)

Table showing the Annual Expenditure of the County of Somerset—*continued.*

HEADS OF EXPENDITURE.	1796: £. s. d.	1797: £. s. d.	1798: £. s. d.	1799: £. s. d.	1800: £. s. d.	1801: £. s. d.
Bridges	580 8 7	604 10 7	543 16 8½	442 16 5½	161 19 6½	406 6 11
Clerk of assize and judges officers	10 10 —	—	—	—	—	—
Clerk to the lieutenancy	—	—	85 8 —	50 — —	—	—
Clerks of subdivisions	—	—	—	129 14 6	—	—
Clerk of the peace	116 12 5	116 5 9	111 7 11	338 12 6	414 15 10	242 7 2
Constables	—	—	—	—	—	—
Coroners	172 13 3	189 16 3	227 19 6	243 17 6	226 8 9	227 7 6
Debtors, conveyance of insolvent	—	—	—	—	—	—
Felons, prosecution of	105 6 —	152 15 —	235 11 —	182 — —	257 6 —	876 18 11
Felons, transportation of	—	—	—	—	—	—
Halls, improvements of assize	—	—	—	—	—	*600 — —
King's Bench and Marshalsea	17 — —	—	—	—	—	—
Militia and army of reserve, expenses relative to the	339 11 8	683 15 8	724 — 7	1,408 6 3	1,519 9 5	1,477 11 7
Navy, raising men for the	53 13 6	103 13 6	320 11 —	31 18 6	—	—
Population Returns	—	—	—	—	—	—
Printing and stationery	13 17 8	—	—	—	11 3 11	22 13 3
Prisoners, conveyance of	105 14 1	103 10 11	142 9 3	147 18 8	146 18 4	473 2 9
Prisons, keepers of	1,326 14 6¼	1,603 6 8	1,622 — 8¼	1,818 17 9	1,844 14 10½	3,317 8 8
Prisons, repairs and improvements of	1,009 13 1	872 5 10	1,487 4 4	140 13 5	140 — 11	148 9 6¾
Prisons, medical attendance at	91 14 9	91 14 9	50 18 6	83 4 6	45 12 9	101 2 2
Prisons, chaplains of	42 10 —	—	50 — —	50 — —	50 — —	50 — —
Sewers, commission of	—	—	—	—	—	—
Surveyors salaries	—	—	—	—	—	—
Surveyors bills	—	—	—	—	9 10 —	—
Sundries, by orders of court	8 8 —	347 12 10	190 2 4	99 — 2	196 3 10	126 18 6
Treasurers salaries	113 3 —	—	—	—	—	—
Undersheriff	—	—	—	—	—	—
Vagrants, apprehending and passing of	187 13 3	209 17 3	262 2 5	161 16 3	271 12 8½	298 10 10
TOTAL of each year	4,295 3 9¼	5,079 5 —	6,053 12 2¾	5,328 16 5½	5,295 16 10¼	8,368 17 9¾

HEADS OF EXPENDITURE.	1802: £. s. d.	1803: £. s. d.	1804: £. s. d.	1805: £. s. d.	1806: £. s. d.	1807: £. s. d.
Bridges	317 14 10½	291 18 —	171 2 10	300 11 —	755 7 5	1,296 1 1
Clerk of assize and judges officers	—	10 10 —	—	—	—	—
Clerk to the lieutenancy	216 6 6	—	—	—	—	—
Clerks of subdivisions	—	—	—	—	—	—
Clerk of the peace	344 11 5	274 — 1	303 13 10	251 10 6	209 10 1	490 10 7
Constables	—	—	—	—	—	11 1 —
Coroners	233 1 3	259 17 6	228 15 3	228 15 3	204 16 6	173 18 9
Debtors, conveyance of insolvent	48 15 —	—	—	—	—	—
Felons, prosecution of	479 10 2	313 — —	135 6 6	411 5 6	559 4 2	528 15 3
Felons, transportation of	—	—	—	—	—	15 15 —
Halls, improvement of assize	100 — —	—	—	—	—	500 — —
King's Bench and Marshalsea	—	—	14 7 2	14 7 2	—	—
Militia and army of reserve, expenses relative to the	1,689 7 9	539 17 4	439 15 10	1,203 14 1	1,234 10 5	852 9 1
Population and poor returns	98 8 6	—	—	135 16 6	—	—
Printing and stationery	17 3 6	32 1 1	35 11 10	60 5 10	18 13 5	45 6 6
Prisoners, conveyance of	339 15 2	206 2 11	123 7 —	170 15 5	250 5 —	182 17 6
Prisons, keepers of	3,243 1 5	1,937 15 10½	806 3 10	1,976 14 4	2,383 18 3	1,905 4 11½
Prisons, repairs and improvements of	129 17 —½	68 6 8	121 18 6	121 18 6	726 — 1	794 1 9
Prisons, medical attendance at	184 1 2	91 19 9	63 19 2	78 5 2	89 5 —	121 19 7
Prisons, chaplains of	50 — —	50 — —	—	50 — —	50 — —	50 — —
Sewers, commission of	—	—	—	—	—	91 18 8
Surveyors salaries	—	20 — —	—	—	—	—
Surveyors bills	—	—	—	—	—	—
Sundries, by orders of court	154 11 8	23 18 4	75 17 —	108 2 —	133 13 8	126 5 —
Treasurers salaries	—	187 2 —	88 6 —	—	—	—
Undersheriff	—	58 19 4	16 16 —	16 16 —	—	16 16 —
Vagrants, apprehending and passing of	291 14 2	142 10 10½	78 18 9	185 8 —	190 7 4	169 6 9
TOTAL of each year	7,937 19 7	4,507 19 9	2,703 19 6	5,314 5 3	6,805 11 4	7,372 7 5½

* Taunton and Bridgewater.

Table showing the Annual Expenditure of the County of Somerset—*continued.*

HEADS OF EXPENDITURE.	1808:	1809:	1810:	1811:	1812:	1813:
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Bridges	739 6 3	1,025 7 1	381 19 4	718 5 3	735 12 –	859 18 5
Clerk of assize and judges officers	66 18 –	35 14 –	59 17 –	33 12 –	94 10 –	94 10 –
Clerk to the lieutenancy	84 19 11	130 14 2	119 12 –	119 7 2	120 8 2	—
Clerks of subdivisions	—	—	—	—	—	—
Clerk of the peace	280 19 –	369 4 9	453 16 –	288 12 11	396 6 6	386 18 6
Constables	20 9 9	29 7 –	18 12 –	26 – –	52 13 8	27 18 –
Coroners	299 14 –	283 6 –	263 12 –	235 7 6	254 10 6	238 14 6
Debtors, conveyance of insolvent	—	—	—	—	—	—
Felons, prosecution of	755 9 1	547 14 6	362 – –	580 18 2	995 12 9	1,139 7 8
Felons, transportation of	—	—	—	—	—	—
Halls, improvements of assize	- - -	108 19 7	108 6 6	14 15 6	7 1 10	—
King's Bench and Marshalsea	- - -	- - -	- - -	1 7 8	—	—
Militia and army of reserve, expenses relative to the	712 7 6	702 1 2	989 1 4	1,134 9 4	1,487 3 1	1,903 3 9½
Population returns	- - -	- - -	- - -	55 2 6	—	—
Printing and stationery	52 5 1	94 1 5	209 14 11	158 3 11	94 17 3	93 14 9
Prisoners, conveyance of	291 5 11	282 1 –	244 10 4	342 10 1	328 15 7	377 13 10
Prisons, keepers of	2,420 9 9	2,730 4 2	2,855 1 1	2,906 7 8	3,881 14 2	3,881 13 3
Prisons, repairs and improvements of	973 14 2	1,538 1 9	1,921 5 4	795 8 9	2,736 16 4	2,910 17 8
Prisons, medical attendance at	168 6 4	163 6 9	146 18 6	147 9 –	138 5 –	138 5 –
Prisons, chaplains of	62 10 –	50 – –	50 – –	50 – –	50 – –	50 – –
Sewers, commission of	—	—	—	—	—	—
Surveyors salaries	20 – –	20 – –	20 – –	20 – –	153 17 2	—
Surveyors bills	152 1 4	12 12 –	—	—	—	—
Sundries, by orders of court	43 11 –	59 13 6	29 3 –	137 2 6	160 – 10	183 19 4
Treasurers salaries	206 1 –	204 9 –	224 9 6	228 13 –	230 6 –	—
Undersheriff	102 11 5	- - -	54 14 2	- - -	179 2 3	100 16 –
Vagrants, apprehending and passing of	120 16 4	132 14 10	132 3 5	188 7 5	267 1 9	214 12 –
TOTAL of each year	7,573 15 10	8,519 12 8	8,644 16 5	8,182 – 4	12,364 14 10	12,602 2 8½

HEADS OF EXPENDITURE.	1814:	1815:	1816:	1817:	1818:
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Bridges	920 3 3	961 11 9	1,103 10 4	1,062 17 5	1,326 17 8½
Clerk of assize and judges officers	145 16 –	145 16 –	194 3 8	204 9 8	159 19 –
Clerk to the lieutenancy	120 1 2	120 1 2	—	—	—
Clerks of subdivisions	—	—	—	—	—
Clerk of the peace	516 19 10	506 7 10	655 5 11	950 – 7	847 – 6
Constables	56 4 –	29 11 –	20 – –	30 15 4	11 2 –
Coroners	239 1 6	239 1 6	343 – 6	305 18 3	313 7 9
Debtors, conveyance of insolvent	—	—	—	—	—
Felons, prosecution of	1,590 19 10	1,686 16 2	1,715 19 2	2,458 8 1	4,276 5 11
Felons, transportation of	—	—	—	—	—
Halls, improvements of assize	26 15 8	- - -	36 2 9	353 5 10	119 6 5
King's Bench and Marshalsea	45 16 –	30 16 –	35 4 10	15 – –	20 – –
Militia and army of reserve, expenses relative to the	1,712 16 2	1,956 18 8	714 11 8	290 17 2	374 12 1
Population and poor returns	- - -	- - -	848 18 6	—	—
Printing and stationery	153 15 9	153 15 9	190 3 10	396 16 –	270 15 1
Prisoners, conveyance of	390 9 8	390 15 8	457 10 8	695 12 6	1,326 16 1
Prisons, keepers of	3,983 3 3	4,207 5 2	5,016 2 1	6,903 3 11	8,652 5 7¼
Prisons, repairs and improvements of	2,324 – 11	2,395 1 1	4,003 9 –	3,202 18 1	2,083 8 11
Prisons, medical attendance at	158 2 –	158 2 –	163 10 –	182 5 –	416 9 –
Prisons, chaplains of	50 – –	50 – –	60 – –	100 – –	145 – –
Sewers, commission of	- - -	- - -	56 18 –	—	—
Surveyors salaries	70 – –	—	—	—	—
Surveyors bills	- - -	- - -	- - -	477 1 9	—
Sundries, by orders of court	24 11 7	137 16 –	210 17 6	509 – 4	452 4 3
Treasurers salaries	235 – –	—	—	—	—
Undersheriff	- - -	- - -	119 8 8	261 – 9	203 19 3
Vagrants, apprehending and passing of	400 3 5	400 3 5	514 15 10	631 19 10	807 11 4
TOTAL of each year	13,164 – –	13,569 19 2	16,459 12 11	19,031 10 6	21,806 10 10¾

AVERAGES of the Annual Expenditure, in Eight Periods, of Seven Years each, according
these last mentioned Years being that

HEADS OF EXPENDITURE.	From Easter 1761, to Easter 1768.	From Easter 1768, to Easter 1775.	From Easter 1775, to Easter 1782.	From Easter 1782, to Easter 1789.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Bridges	133 13 3¼	159 17 1¾	128 8 11	153 13 6¾
Clerk of assize and judge's officers	6 15 –	11 5 –	10 10 –	6 – –
Clerk to the lieutenancy	—	—	—	—
Clerks of subdivisions	—	—	—	—
Clerk of the peace	1 9 6¼	28 7 10¾	26 17 –¼	67 6 4¾
Constables	—	—	—	—
Coroners	131 12 3¾	174 – 11¼	168 6 11¼	189 3 7
Debtors, conveyance of insolvent	—	—	—	—
Felons, prosecution of	26 17 2¼	40 13 8¼	56 16 5	158 1 7¾
Felons, transportation of	- - -	- - -	- - -	144 1 11
Halls, improvements of assize	—	—	—	—
King's Bench and Marshalsea	4 15 5	– 9 –	2 1 8½	– 12 7½
Militia and army of reserve, expenses relative to the	78 6 10	– 7 4¼	175 – 3	12 10 9¼
Navy, raising men for the	—	—	—	—
Population and poor returns	—	—	—	—
Printing and stationery	– 19 7½	3 4 4	3 15 2½	3 18 11
Prisoners, conveyance of	50 2 4¼	85 – 9	76 14 10	177 19 11½
Prisons, keepers of	342 15 4½	558 8 11½	725 2 5	1,434 5 4¾
Prisons, repairs and improvements of	26 5 2¾	36 10 2	28 11 7¼	546 8 2¼
Prisons, medical attendance at	23 – 10½	19 11 3	25 16 1	83 8 5¼
Prisons, chaplains of	20 – –	61 1 5	121 2 10¼	24 1 8½
Sewers, commission of	—	—	—	—
Surveyors salaries	6 12 1½	—	—	—
Surveyors bills	—	—	—	—
Sundries, by orders of court	– 1 –¾	41 1 4½	11 16 5	76 13 10
Treasurers salaries	32 1 1½	45 9 3¼	67 14 10¼	49 1 10¾
Undersheriff	—	—	—	—
Vagrants, apprehending and passing of	164 10 6	255 6 9½	402 – 4	537 4 2
TOTAL of each year £.	1,049 17 9¾	1,520 15 4	2,030 15 10¼	3,666 12 11

to the preceding Tables, omitting the Years 1759, 1760, and 1804, the Expenditure of of the Eastern Treasurer only.

HEADS OF EXPENDITURE.	From Easter 1789, to Easter 1796.	From Easter 1796, to Easter 1803.	From Easter 1804, to Easter 1811.	From Easter 1811, to Easter 1818.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Bridges	565 9 –	395 11 10½	745 5 4	995 15 10
Clerk of assize and judge's officers	4 10 –	1 10 –	28 – 1½	148 9 2¼
Clerk to the lieutenancy	– – –	50 4 11	64 19 –¼	51 10 –¾
Clerks of subdivisions	– – –	18 10 7½	—	—
Clerk of the peace	93 16 8½	263 2 11¼	334 17 8¼	608 8 6¼
Constables	– – –	– – –	15 1 4½	32 12 –
Coroners	213 2 6¼	229 15 5½	241 7 1½	276 4 11
Debtors, conveyance of insolvent	– – –	6 19 3¼	—	—
Felons, prosecution of	177 – 9¼	356 14 5¼	535 – 11¼	1,980 9 11¼
Felons, transportation of	18 1 5	– – –	2 5 –	—
Halls, improvements of assize	– 12 7½	100 – –	104 11 7¾	77 10 4¼
King's Bench and Marshalsea	2 8 6¾	– – –	2 4 11½	20 19 6½
Militia and army of reserve, expenses relative to the	96 11 2½	1,148 18 4¼	975 10 5	1,205 14 7¾
Navy, raising men for the	7 13 4¼	65 3 3¾	—	—
Population and poor returns	– – –	14 1 2½	27 5 6¾	121 5 6
Printing and stationery	4 8 2	11 17 4½	91 4 5¼	193 8 4
Prisoners, conveyance of	161 13 2	222 16 10½	252 – 9	566 14 10¼
Prisons, keepers of	1,334 – 2½	2,198 3 8¼	2,454 – –¼	5,217 18 2¼
Prisons, repairs and improvements of	1,171 13 6	426 13 11¼	981 10 –½	2,808 1 8½
Prisons, medical attendance at	68 13 9½	92 13 4¼	130 15 9	193 11 1½
Prisons, chaplains of	18 18 6¾	42 17 1½	51 15 9½	72 2 10¼
Sewers, commission of	– – –	– – –	13 2 8	8 2 6¾
Surveyors salaries	– – –	2 17 1½	11 8 6¾	31 19 7
Surveyors bills	– – –	1 7 1½	23 10 5½	68 3 1¼
Sundries, by orders of court	143 15 2½	162 12 6¼	91 1 6¼	239 15 8¼
Treasurers salaries	43 4 7½	26 14 6¾	123 7 6	66 9 5
Undersheriff	– – –	8 8 5½	27 5 4½	123 9 6½
Vagrants, apprehending and passing of	281 8 6	234 – 7½	159 17 8½	462 6 9½
TOTAL of each year £.	4,407 1 10¾	6,081 15 1¼	7,487 9 8	15,571 4 3

(M.)

IVELCHESTER GAOL.—AN ACCOUNT of Monies ordered to be paid by the Court of General Quarter Session of the Peace for the County of Somerset, for Repairs and Improvements of the said Gaol, and also of Monies ordered to be paid to the Prisoners for Labour performed by them; and also of all Monies ordered to be paid to the Keeper and Taskmaster, for their Superintendance of such Work; from Epiphany Session 1812 to Easter Session 1821, both inclusive.

SESSIONS.	REPAIRS.	Keeper's Share of Prison Labour.	Taskmaster's Share of Prison Labour.	Prisoners Share.	TOTAL each Year.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1812: Epiphany	118 2 7	—	—	—	
Easter	108 4 6	—	—	—	
Midsummer	177 19 11	—	—	—	
Michaelmas	92 5 10	—	—	—	
					496 12 10
1813: Epiphany	132 9 11	—	—	—	
Easter	175 4 —	—	—	—	
Midsummer	236 5 11½	—	—	—	
Michaelmas	220 8 3	77 19 4	77 19 4	118 17 1	
					1,039 3 10½
1814: Epiphany	123 5 9	34 16 9	34 16 9	148 16 1	
Easter	105 10 1	27 4 11	27 4 11	100 4 —	
Midsummer	82 16 1	23 16 2½	23 16 2½	92 1 3	
Michaelmas	87 8 8	28 12 5½	28 12 5½	111 7 3	
					1,080 9 10
1815: Epiphany	96 15 5	24 11 3	24 11 3	82 — 8	
Easter	123 19 5	31 1 7	31 1 7	121 14 5	
Midsummer	188 9 2	32 7 1½	32 7 1½	120 2 10	
Michaelmas	179 6 10	32 2 1	32 2 1	121 6 6	
					1,273 19 4
1816: Epiphany	54 4 3	32 — 3½	32 — 3½	131 10 7	
Easter	180 14 11	36 8 5	36 8 5	136 3 5	
Midsummer	333 13 9	27 7 3½	27 7 3½	87 6 2	
Michaelmas	511 10 4	31 10 8½	31 10 8½	97 11 4	
					1,787 8 2
1817: Epiphany	380 14 3	31 9 3	31 9 3	105 3 —	
Easter	190 11 2	33 8 6	33 8 6	117 18 3	
Midsummer	232 4 2	32 15 7	32 15 7	131 10 2	
Michaelmas	192 14 3	41 1 9	41 1 9	154 3 5	
					1,782 8 10
1818: Epiphany	148 17 4	39 1 9	39 1 9	144 13 1	
Easter	69 6 6	32 15 5½	32 15 5½	118 11 7	
Midsummer	57 15 4	36 1 1½	36 1 1½	77 11 —	
Michaelmas	193 19 10	35 2 5	35 2 5	142 11 8	
					1,239 7 10
1819: Epiphany	58 10 3	34 14 —½	34 14 —½	70 15 9	
Easter	63 19 2	29 19 4	29 19 4	53 19 4	
Midsummer	95 — 7	26 16 7	26 16 7	55 7 4	
Michaelmas	86 10 10	29 13 2	29 13 2	62 7 4	
					788 16 10
1820: Epiphany	36 6 10	38 12 2	38 12 2	82 16 11	
Easter	103 18 6	35 1 9	35 1 9	78 11 5	
Midsummer	58 15 11	36 1 7	36 1 7	79 15 5	
Michaelmas	324 10 6	37 16 1	37 16 1	75 3 —	
					1,135 1 8
1821: Epiphany	55 2 4	38 16 11	- - -	78 10 4	
Easter	83 8 10	41 — 2	- - -	79 14 3	
					376 12 10
1810: July 9. By amount of Contract with John Wainwright for improvements					1,157 11 8
1812: April 6. D° with Burt and Ellis					1,300 — —
Oct. 12. D° with same for Carriage House					210 — —
1820: Jan. 11. Paid Mr. Tuson for Land					126 — —
TOTAL £.					13,793 13 8½

(N.)

Report of Surveyor as to the State of the Debtors Wards.

SIR, Wells, January 15, 1819.

On Wednesday last I surveyed the part of the county gaol at Ilchester referred to in Mr. Moody's Report, in order to ascertain the practicability of raising the walls, &c. to a height sufficient for making an infirmary over the lower debtors ward.

On minutely examining the walls, floors, &c. of the present building, I have found the whole in so dilapidated and miserable a state, and some of the wards without any light or the least circulation of air, that I am of opinion it is not advisable to erect any new works over the present lower debtors ward, and that the additional expense of taking down the whole and rebuilding of it will not be considerable, and, by the different arrangement of the rooms, the increased accommodation will amply compensate the county for any additional expense.

I enclose a report from Mr. Moody, visiting magistrate, relative to the same subject.

Mr. *Moody.*

Mr. Moody is of opinion as well as myself, that the northern range of courts require more air and ventilating; but at the present moment it is difficult to ascertain in what manner it can be best effected; and is also of opinion, that no decisive report can be made on it during the present Session.

I remain, Sir, your obedient and very humble servant,

George Allen Underwood, county surveyor.

To *Edward Coles,* esq. clerk of the peace, county of Somerset.

(O.)

Order of Sessions as to the Salaries of the Governor and Taskmaster.

Somerset, *(to wit.)* At the General Quarter Session of the peace of our Lord the King, held at the Castle of Taunton, in and for the County of Somerset, on Monday the 16th day of October, in the first year of the Reign of our Sovereign Lord George the Fourth, by the grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and in the year of our Lord 1820, before William Dickinson, esquire, Sir Thomas Buckler Lethbridge, baronet, chairmen, and others their companions, Justices of our said Lord the King, assigned to keep the peace of our said Lord the King, in and for the county of Somerset aforesaid, and also to hear and determine divers felonies, trespasses, and other misdemeanors committed in the same county:

ORDERED, That the consideration of the county surveyors plan for building a new Infirmary at Ivelchester Gaol, on the ground lately purchased of Mr. Tuson, together with the said surveyors report thereupon, be adjourned until a future session.

The committee appointed for a revision of the existing Table of Rules, Orders, and Regulations for the government of this gaol and house of correction and other purposes, having now made their report in writing to this court, accompanied by a draft of certain Rules recommended by them to be observed in the said prison, and the said report having been read and duly considered, It is ordered, in pursuance of the recommendation therein contained, that the present salary and the allowance of one-eighth part heretofore made to the taskmaster of the house of correction at Ivelchester, on the estimated value of the prisoners labour, be rescinded, and that, in lieu thereof, he be paid a clear annual salary of £.130.; and the same is hereby ordered accordingly.—Also ordered, That the allowances heretofore made to the keepers of the gaol and houses of correction in this county, for the conveyance of prisoners to and from the assizes and sessions, and also for the conveyance of convicts pursuant to their respective sentence of transportation, be and the same is hereby rescinded; and instead thereof, it is further ordered, that for the future the said keepers shall be allowed the actual expenses incurred by them for such conveyance, and that they be directed to produce particular accounts thereof quarterly, to be passed, as the other accounts of the county are, with proper vouchers.—And it is ordered, That the consideration of the said Rules be adjourned until the next session, and that, in the mean time, they do remain in the office of the clerk of the peace, for the information of all justices of the peace who may be desirous of perusing the same: and it is further ordered, for the like purpose, that a copy of the said Rules be made and transmitted to the undersheriff, to remain in his office; and that the clerk of the peace do accordingly inform the said justices, by letters addressed to their clerks, that such Rules may be inspected at either his or the undersheriff's office.

A letter from Mr. Clive, under secretary of state, dated the 3d of October instant, addressed to the visiting magistrates of Ilchester gaol, enclosing, by Lord Sidmouth's direction, a letter dated the 19th ultimo from Henry Hunt, a prisoner confined in the said gaol, to Mr. justice Bailey; and also certain copies of orders relative to the said Henry Hunt and another prisoner, also under confinement in the said gaol (of the name of John Kinnear), which were from time to time made by the said visiting magistrates and other magistrates of the county of Somerset, being laid before this court, and read and duly considered, It is ordered, by and with the consent and approbation of the sheriff of the said county of Somerset,

that the orders made by the said visiting and other justices on the 6th of July, 14th and 24th days of August last, be rescinded; and that the said Henry Hunt and John Kinnear be permitted to receive their respective wives and children, and also male visitors, in their own wards, (the number not exceeding four persons at any one time), between the hours of nine in the forenoon and four in the afternoon from Michaelmas to Lady-day, and between the hours of nine in the forenoon and seven in the afternoon from Lady-day to Michaelmas. —And it is further ordered, That no female visitors, except as aforesaid, be admitted to the said Henry Hunt and John Kinnear but at the usual hours, in the debtors visiting-room at the said gaol, unless upon some urgent occasion, allowed by and stated in an order first obtained for that purpose from one of the visiting justices of the said gaol, or the sheriff of the said county of Somerset.

(P.)

Report of Dr. Kinglake, and others.

PURSUANT to directions given by the commissioners appointed, under the great seal of the United Kingdom of Great Britain and Ireland, to investigate and report the present state of the county gaol at Ilchester, we, the undersigned, have closely inspected and examined every part of the said gaol.

Our attention having been especially directed by the said commissioners to the general and particular ventilation of the gaol, to the state of the public and private apartments, to the culinary and other offices, to the infirmary and surgery for the use of the sick, to the quality of the water consumed in the gaol, and to the condition of the drains, we have judged it right to submit a few observations on each of these heads.

The outer wall of the gaol is substantially built of stone, is about twenty feet high, and, excepting where it bounds the court in which the manufactory is placed, is without any apertures for the admission of air. The inner or partition walls are similarly constructed, equally high, and without any other openings than low and narrow doorways, which are usually closed. The inevitable effect of such obstructed ventilation is either an oppressive heat or chilling dampness, according to the temperature of the prevailing weather. In either case, to breathe such confined air must necessarily be very unwholesome and highly conducive to disease. This hurtful obstruction may in a considerable degree be removed, by either lowering the outer and partition walls to about seven feet high, and surmounting them with secure iron railing; or, by making openings at that height in all the partition walls, and at distances of from ten to fifteen yards apart in the outer wall, of about six feet square, securing them with iron grating. By this alteration, a comparatively free admission would be given to air, light, and sun, by which the court areas, as well as all the apartments, would be rendered much more salubrious and comfortable than they are at present.

We have inspected and measured all the apartments appropriated to the custody of the prisoners of every description, and also the various offices connected with them. Presuming that it would be unnecessarily minute, and that it is not the object of the commissioners that we should state the precise dimensions of every part, as taken to assist our private judgment, we have thought it sufficient to confine our report to a general statement of our opinion of them.

The apartments appear to us, almost in every instance, whether referring to those for sitting or for lodging, to be too small, not sufficiently high, and too scantily ventilated either for the comfort or health of those who may occupy them. In this general reference we cannot avoid particularizing the washing and laundry apartments, both which are within much too narrow limits for the description of work performed in them. The washing room is not more than 14 feet 6 inches long, by 14 feet wide, and 9 feet high, lighted by two moderate size windows, two-thirds of which are obstructed by fixed wooden screens, by which the air and light, that might otherwise be admitted, are most injuriously excluded. At the inner end of this office is a privy, and near it an opening for an occasional access to a drain. The exhalations arising from these places, in the high temperature constantly kept up by the fire of the washing furnaces, are intolerably offensive, and cannot fail to be extremely pernicious to the health of the persons breathing and labouring in them.

The laundry room is equally objectionable for narrowness of dimensions, obstructed ventilation from fixed wooden screens before the windows, and the excessive heat occasioned by fuel burnt in a large stove without an open chimney. A great and lamentable deficiency in this gaol establishment is the want of a suitable building as an infirmary for the sick. Various parts of the gaol have been used at different times for that purpose, but under objections as to smallness of the rooms, insufficient air, and not being exclusively kept for invalids, but suffered to be promiscuously inmated by the uncomplaining and the diseased, that urgently require efficient correction. We presume to suggest, that the only adequate remedy for this great defect would be erecting, in a proper situation, at least two roomy wards,—one for male and the other for female patients,—to be set apart solely for the use of the sick; to which any prisoner, on becoming unwell, should be immediately removed, and not, as at present, be allowed to remain with those who are not complaining of any illness. A suitable office or surgery should be attached to these proposed infirmary wards, from which may be promptly furnished the medical and surgical aid that may be occasionally required. At present the necessary arrangements appear to be wanting for either advantageously relieving

relieving the sick, for restraining the progress of infectious disease, or for fulfilling the various intentions of medical assistance.

The part of the gaol appropriated to the debtors is extremely deficient in proper accommodation. The sitting and lodging rooms are very low, and liable to be crowded to an extent that must be seriously injurious to the health, and insufferably annoying to the personal convenience of those who occupy them. Several of the individuals who are now breathing the vitiated air of those apartments are actually suffering from disease induced by its noxious influence, and the whole of them have a very unhealthy aspect.

The court area, allotted to the debtors for walking exercise, is too limited, and is further abridged by cultivating the sunny part of it as a garden, into which the debtors are penally prohibited from entering.

The chapel for religious worship is much too small and very insufficiently ventilated for the number of persons required to assemble in it. Unless the utmost caution be observed with respect to the cleanliness of the prisoners, both as to their persons and wearing apparel, great risk must be incurred in breathing an air polluted by the foul exhalations proceeding from so numerous a congregration in such confined dimensions. Enlarged windows, and a dome ventilation from the roof, would contribute to renovate and purify the air during divine service.

As medical practitioners, conversant with the important benefits accruing to the individual and general health of large assemblies of persons permanently confined to a limited space, we regret that there is no establishment in this gaol for cold and warm bathing. We are of an opinion, that the personal health and comfort of a numerous body of prisoners within the narrow dimensions of the gaol at Ilchester, cannot be effectually obtained and preserved without the salutary practice of either cold, tepid, or warm bathing, according to circumstances of individual health, at least once a week. Oftener, perhaps, would be more salubrious; and we think it should never be dispensed with on Saturday, preparatory to assembling on the following Sunday at divine service. A change of body and bed clothes, particularly stockings, should be had at least once a week. We are induced more particularly to remark on the advantage of personal cleanliness, from observing an apparent inattention to this important circumstance in the persons of many of the prisoners, and especially on the debtors side of the gaol.

The water furnished by all the wells of the gaol has a brackish flavor, indicating the presence of mineral or saline substances, the precise nature and quantity of which could only be ascertained by a correct analysis. Most spring waters are impregnated, or hold in solution a greater or less portion of mineral or saline materials, but, like the water of this gaol, not in sufficient concentration to become a decidedly unwholesome beverage.

The well water of this place appears to be much more objectionable, from the accidental contaminations which it receives from the refluence or oozings of obstructed drains inconsiderately placed in every instance in a direct line with the wells, than from its mineral or saline qualities. Whenever the water of the adjacent river rises above the level of the drains intended to be vented into that channel, there can be no outlet for the accumulated filth of the numerous privies, and of the various domestic and culinary washings of the whole gaol. On these occasions, the obstructed foulness, instead of draining off, is forced through the surface of the court areas and through openings in the ground apartments of the gaol, and no doubt, to a great and deleterious extent also into the wells from which the water consumed in the gaol is supplied. This, in a medical consideration, is an insufferable evil, and might possibly be removed by sinking fresh wells in parts of the gaol securely distant from any drain, and transferring the water, where required, by means of leaden pipes. This would be a practicable measure, and would perhaps obviate unanswerable objections at present existing against the uniform salubrity of the water.

We cannot conclude our report on what was pointed out for our more particular attention by the commissioners, without expressing our conviction that the gaol is much too large for the space on which it stands; that all the apartments are on too small a scale to admit of free ventilation and aerial purity; that the general scite of the gaol is lower than could be desired, and that the ground floor is not sufficiently above the bed of the adjacent river designed to receive the foul drainings of the prison, to admit of these impurities being constantly and uninterruptedly carried off. Much, however, may be done towards rendering the gaol comparatively healthful, as before observed, by either lowering the outer and inner walls and substituting iron railing, or by perforating them in proper situations with grated lights of about six feet square; by removing the fixed wooden screens from the windows wherever they are placed; by sinking fresh wells in situations that could not be affected by obstructed drains; employing leaden pipes for conveying water to those parts of the gaol that may be within the reach of detained impurities during a flood or high water in the river; by instituting a regulation of at least weekly bathing on Saturday, with a view to assembling with safety in the chapel on Sundays; by improving the ventilation of the chapel, and by carefully abstaining from washing the floors when they are unavoidably occupied: the chilling and hurtful dampness occasioned by this practice, and the noxious exhalations which are inhaled during the drying on those occasions, are objects deserving the most cautious and serious attention.

Robt. Kinglake, M. D.
Wm Shorland, Surgeon.
John Robertson, Surgeon.

Ilchester,
June 7th, 1821.

(Q)

Report of Sir George Gibbes.

IN the report which I have now the honour of presenting to you, I beg it to be understood, that not being fully aware, by the summons I received, of the exact nature or extent of the inquiry I was to be called upon to make, I could not provide myself with such apparatus or books of reference, as would enable me to render my report accurately scientific.

This investigation being conducted at Ilchester, where there are few if any shops, we cannot provide ourselves with many things which would tend to expedite and relieve the labour of such an inquiry.

As the commission also is drawing towards a close, I have been urged to make all possible dispatch; so that it must not be attributed to carelessness, what, under more quiet and less hasty proceedings, might have assumed a more correct appearance.

The directions which I have had the honour of receiving from the commissioners are of a most extensive nature, involving some of the most difficult and delicate proceedings of chemical science, and also a very large extent of medical investigation, both as regarding the character of the country around, as well as to the peculiar nature of the place in question.

If, therefore, in the hurry necessary from the time allowed, I should not make a selection of all the striking and convincing facts, or if I should omit any available circumstance, I trust I shall meet a ready excuse and pardon. It must also be remarked, that many points not immediately connected with my line of proceedings may creep into this report, as many of the sources of information much regard a more general inquiry.

It is obvious that previous to any investigation of this kind, it is of the utmost importance clearly to mark out the line of proceeding, in order that the several facts may not be mingled and confused; and as there is but little time allowed, that it may not be employed in a useless and improper manner. In drawing up, therefore, this report, it seems necessary that I should proceed in the same manner in description as I did in reality; not that I conceive the best plan was followed, or that it might not be much improved, but that the story may be more consistently told.

It will also be proper to place the facts as much as possible together that bear upon each particular part, in order that other people may form their own conclusion.

In dividing the subject under different heads, I purpose to establish such a comparative view as shall clearly establish the present state of the gaol, in regard to situation, health of its inmates, state of the water, &c.

The first:—The situation of the gaol in respect to the adjacent country.

Second:—Health of the inhabitants of Ilchester. Copy of register, &c.

Third:—The waters of five of the wells of the gaol, pointed out by the commissioners, examined chemically, and compared with the water used in Ilchester and Bath.

Fourth:—Examination of all the wells in the gaol, their situation in regard to privies, drains, washing of pavement, and sinking through the pavement of those washings, and exposure of the tops of the wells to the receiving of the washings.——To be answered by the surveyors.

Fifth:—The fall of the water through the drains towards the river, and of the smaller drains, from privies, &c. into the large drains.——To be answered by the surveyors.

Sixth:—The porosity of the materials of which the drains are composed, and the manner in which the mason-work of the drains and of the privies and wells is done; whether with mortar, puddle tarras, &c. and whether water-tight or not.——To be answered by the surveyors.

Seventh:—Whether the river has any communication with these wells when there is a flood or otherwise, and whether, if the drains be full of water during floods, the wells are affected by the floods, or whether any water can pass from the drains into the wells.

Eighth:—Whether there be any loitering in the soil of the privies or sinks before it passes into the river; whether any unpleasant effluvia arise in the gaol from the putrescence or decomposition of this soil, and whether the water of the wells be ever impregnated with gazeous or other matter, the known result of such decomposition or putrefaction.

Ninth:—The situation of the wells, the most affected in this way; and what wards of the prison are most likely to be injured by such effluvia, &c.

Tenth:—The state of the pavement of the whole gaol, and the usual method of keeping it clean. Is the pavement pervious to water, and does the water sink through the pavement when it is washed?——To be answered by the surveyors.

Eleventh:—The state of all the walls of the gaol in regard to dampness, exposure to the sun and wind.

Twelfth:—The size of all the courts, wards, rooms, cells, &c. throughout the prison; whether there be proper ventilation and sufficient exposure to the sun, and some general observations respecting the wells, drains, &c. &c.

First:—

First:—Of the Situation of the Gaol in respect to the adjacent country.

The gaol stands on the northern side of the river, opposite to the largest portion of the town of Ilchester: it has a commanding view over the adjacent flat country.

There does not appear to be any reason for suspecting the prevalence of any particular disease.

I have been informed that epidemics are not common in the immediate neighbourhood, unless, as in typhus fever, they happen to be imported. This, some years since, was after a time, communicated to the gaol after it had prevailed for some time in its neighbourhood.

This information I have received from medical gentlemen on the spot.

Second:—Of the Health of the Inhabitants of Ilchester; Copy of Registers, &c.

Copy of the ages from the Register of Deaths in the town of Ilchester, from January 20 1813 to June 3 1821.

39 years.	14 weeks.	73 years	16 weeks.
11 weeks.	5 „	27 „	9 months.
1 year 3 months.	9 „	9 months	47 years.
28 „	65 years.	2 years	1 „
32 „	36 „	87 „	19 months.
62 „	60 „	53 „	9 years.
2 „	2 „	38 „	15 „
7 months.	28 „	57 „	19 weeks.
73 years.	41 „	56 „	1 year.
86 „	25 „	3 „	59 „
2 „	17 „	36 „	17 „
4 „	92 „	39 „	1 „
1 „	87 „	31 „	40 „
1 „	88 „	17 weeks.	70 „
3 months.	3 weeks	74 years.	73 „
1 year 6 months.	16 years.	59 „	39 „
33 years.	82 „	14 „	3 „
79 „	26 „	45 „	5 „
82 „	63 „	64 „	52 „
57 „	22 „	37 „	5 „
4 „	14 „	9 weeks.	64 „
5 „	7 weeks.	42 years.	1 „
60 „	46 years.	11 „	4 days.
1 „	41 „	19 weeks.	2 years.
6 „	69 „	35 years.	57 „
77 „	68 „	60 „	3 months.
97 „	7 „	3 months.	1 year.
44 „	65 „	11 „	80 „
32 „	18 „	7 years.	1 „
20 „	19 „	40 „	27 „
24 „	60 „	62 „	1 „
28 „	4 months.	1 week.	38 „
1 month.	47 years.	69 years.	9 „
58 years.	74 „	3 „	3 „
74 „	87 „	7 weeks.	37 „
68 „	57 „	77 years.	15 months.
4 „	69 „	6 months.	68 years.
83 „	21 „	45 years	2 „
1 „	17 „	21 „	72 „
50 „	51 „	22 „	2 „
2 „	3 weeks.	16 „	1 „
56 „	8 years.	76 „	3 „
88 „	35 „	85 „	10 weeks.
21 „	20 „	90 years.	76 years.
10 days.	73 „	6 months.	4 months.
5 months.	5 weeks.	8 „	70 years.
1 week.	29 years	18 „	65 „

Of the above, eleven were executed.

Copy of the Census last taken of the Town of Ilchester:

MALES.													FEMALES.											
Under 5	5 to 10	10 to 15	15 to 20	20 to 30	30 to 40	40 to 50	50 to 60	60 to 70	70 to 80	80 to 90	90 to 100	100 and upwards.	Under 5	5 to 10	10 to 15	15 to 20	20 to 30	30 to 40	40 to 50	50 to 60	60 to 70	70 to 80	80 to 90	90 to 100	100 and upwards.
63	58	44	31	50	34	47	33	17	20	1	1	—	53	57	38	41	74	40	50	23	15	11	1	—	—

Total Males - - - 399. Total Females - - - 403.
Total Males and Females - - - 802.

Health of the Prisoners in the Gaol of Ilchester.

Deaths in the Gaol for the last 13 years - - - - - - - - - - - - 26.

1818	- -	Number of Prisoners	408	- -	Deaths 5.
1819	- - - -	—— - - -	519	- -	— 1.
1820	- - - -	—— - - -	478	- -	— 1.

Third:—The water of five wells of the gaol, pointed out by the commissioners, examined chemically, and compared with the water used in Ilchester and Bath, by Mr. Eastwick and myself.

In detailing the experiments made in this examination, the several wells and waters will be designated by the numbers as follows:

N° 1. Upper debtors well.
N° 2. Lower debtors well.
N° 3. The old time ward well.
N° 4. The male infirmary well.
N° 5. The factory well.
N° 6. Water used in Ilchester.
N° 7. Water used in Bath, supplying Queen-square, &c.

Tests employed:

Muriate of Barytes:

N° 1. Evident cloudiness, abundant.
2. D° „ „
3. D° „ „
4. D° d°, but less.
5. D° d°.
6. D° d°.
7. D° d°, but less than 4, 5, 6.

Acitate of Lead:

N° 1, 2, 3, 4, 5, 6, 7. Very abundant precipitate in all; no discolouration; similar in all.

Nitrate of Silver:

N° 1. Abundant precipitate.
2. Rather more; very like N° 6.
3. Similar to N° 1.
4. D°.
5. Less; like N° 7.
6. Same as N° 2.
7. Same as N° 5.

The upper debtors well, N° 1, similar in this experiment to Ilchester water, N° 6. Factory well like Bath.

Tincture of Galls;

N° 1, 2, 3, 4, 5, 6, 7. Not any indication of iron in either.

Prussiate of Potash.

N° 1, 2, 3, 4, 5, 6, 7. Not the slightest indication of iron in either.

Oxalate of Ammonia.

N° 1, 2, 3, 4, 5. Strong cloudiness; similar in all these.
6. Rather more abundant.
7. Least of all.

Pure Ammonia.

N° 1. Very faint cloudiness.
2. Rather more.
3. Same as N° 1.
4. D°.
5. D°.
6. Much the strongest.
7. Least of all.

Carbonate of Ammonia.

N° 1, 2, 3. No effect.
4, 5. Faint cloudiness.
6. Abundant precipitation.
7. Faint cloudiness.

Pure

	Pure Potash.
N° 1.	
2.	
3.	Slight cloudiness.
4.	
5.	
6.	Much stronger.
7.	Not any effect.

	Solution of Soap.
N° 1.	
2.	
3.	Similarly hard.
4.	
5.	
6.	Hardest.
7.	Softer than either of the others.

It appears that the prison water is more like rain or river water, than like Ilchester water. Bath water appears to be best spring water.

	Oxalic Acid.
N° 1.	
2.	
3.	Cloudiness.
4.	
5.	
6.	Stronger.
7.	Less than either of the others.

	Alcohol
N° 1.	
2.	
3.	
4.	No effect.
5.	
6.	
7.	

	Litmus Paper.
N° 1.	
2.	
3.	
4.	No change.
5.	
6.	
7.	

	Turmeric Paper.
N° 1.	
2.	
3.	
4.	No change.
5.	
6.	
7.	

The object in examining chemically the several waters belonging to the prison being to determine their wholesomeness or otherwise, Mr. Eastwick and myself have proceeded with the five well waters named by the commissioners, and have compared these waters with those which are acknowledged to be wholesome and good.

These additional waters are the water used at the inn at Ilchester and that supplying Queen-square in Bath.

We have also examined chemically three well waters of the gaol, and compared them with the water of the river.

The result of the experiments which we have made shews that there exists no decidedly noxious ingredients in any of the waters, except the offensive odour observed by Mr. Eastwick on Sunday in the pump water of the old time ward well, and from the well which has been sunk since he has been here.

The result also of the experiments has led us to conclude, that the water of all the wells in the gaol approaches much nearer in their qualities to the water of the river than to the water used at Ilchester.

In some respects, the water of the factory well may be an exception. This fact, though not thought of whilst the experiments were going on, we had, from other circumstances, previously anticipated.

Those anticipations were formed from the general report of the prison, which our experiments now appear to have confirmed.

Fourth, fifth, and sixth questions to be answered by the surveyors.

Seventh :—Whether the river has any communication with these wells, when there is a flood or otherwise; and whether, if the drains be full of water during floods, the wells are affected by the floods, or whether any water can pass from the drains into the wells?

We are informed that, in very high floods, the water of the river covers the pavement of the gaol; consequently, it must be above the mouths of all the wells in the prison.

The wells would empty themselves when thus filled into the river, through the porous stratum of gravel, as the water of the river subsides.

Eighth :—Whether there be any loitering in the soil of the privies or sinks before it passes into the river; whether any unpleasant effluvia arise in the gaol from the putrescence or decomposition of this soil; and whether the water of the wells be ever impregnated with gaseous or other matters, the known result of such decomposition or putrefaction?

There is some degree of doubt, whether the deeper wells may not receive some contamination from an under spring, as it appears to be understood about the neighbourhood that bad water occurs below the Shale. This, we understand, occurred in a well sunk in the prison considerably deeper than any now in use, and which, in consequence, was subsequently stopped up.

As the factory well water is the best water, and as it is situated without the range of all the drains, and as all the other wells of the prison are included within them, we imagine it may be possible for the waters of the wells complained of to be affected by the drains or other sources of impurity within the prison.

But, let the evil arise from either of the foregoing causes, the remedy must be the same; and this, we conceive, might be that the water should be conveyed for the uses of the prison through pipes communicating with a purer source.

Ninth:—The situation of the wells the most affected in this way, and what wards of the prison most likely to be injured by such effluvia, &c.

The only well outside the sewers of the prison is the factory well, from which is obtained the best water in the opinion of the prisoners, and which, by experiments, is clearly shewn to be so.

All the other wells lie within the compass and range of the several sewers of the gaol; and it is presumed that these several waters may be more or less affected by this circumstance, and that those peculiarly complained of may be more exposed from a greater porosity of the gravelly soil in their neighbourhoods, or in a loitering of the water and the soil in the drains thereabouts.

Tenth to be answered by the surveyors.

Eleventh:—State of all the walls of the gaol, in regard to dampness, exposure to the sun and wind.

Parts of the gaol appear to be built with the same stone as has been used in the construction of the houses in Ilchester. This being the blue lias, the prevalent rock and principal building stone found in this part of the country, we conceive that, at certain seasons of the year, it must appear damp.

But as we examined the walls during the prevalence of an easterly wind, and at the most favourable season of the year, they appear dry and wholesome. The information we received was, that as the roof has no gutter, the droppings of water from the roof are driven by the wind against the wall.

This, of course, would create coldness in the courts and the vicinity, by evaporation from such extensive surfaces.

Twelfth:—The size, height, &c. of all the courts, wards, rooms, cells, &c. on the ground floor.—Whether there be proper ventilation, and sufficient exposure to the sun?

Class 1. Old time men.

Yard, 46 ft. by 24 ft. Day room, 21 ft. 8 in. by 15 ft.; height 9 ft. 3 in.

Privies, &c. removed, (see Plan). Provision room quite sweet, and good as a gentleman's larder. 36 men. Cooking in the day room.

Class 2. New time men.

Yard, 21 ft. by 28 ft. Day room, 19 ft. by 22 ft. 5 in.; height 9 ft. 1 in.

Bread room good size, no bad smell. 32 men.

Upper debtors ward:

Yard, 60 ft. by 78 ft. Day room, 20 ft. by 25 ft.; height 8 ft.—Tailors at work; well ventilated.

Mr. Lindo tells me that the water is offensive to the taste and smell; that it produces costiveness and eruptions; that the bed rooms are too close, 11 persons sleeping in one room. Garden taken from the sunny side of the court.

Lower debtors ward:

Yard, 98 ft. by 42 ft. Day room, 14 ft. by 22 ft. 5 in.; height $7\frac{1}{2}$ ft.

Meat house by itself in the yard. Shoemakers at work in the day room. 10 men at present.

Boys ward, occupied by female debtors:

Yard, 37 ft. by 21 ft. Day room, 14 ft. by 8 ft. 6 in.; height 9 ft. 1 in. 1. Cell, 13 ft. 6 in. by 6 ft. 7 in. 2. Cell, 6 ft. 6 in. by 8 ft. 2 in.

This is at the back of the prison, near the high back wall of the prison. About twelve o'clock the sun shone on the north wall.

Bread house and privy close together in the yard. Day room warm and comfortable.

Wash house, 22 ft. by 15 ft.; height 8 ft. 8 in. Bake house, 14 ft. by 15 ft.

These are fronting the middle of the gaol, at the northern boundary, opposite the governor's house; convenient, spacious, and good.

Male infirmary, occupied by misdemeanors:

Yard, 36 ft. 6 in. by 21 ft. 6 in. Day room, 20 ft. by 8 ft. 4 in.; height 9 ft. 1 in.

A small drain, which was proved, by buckets of water being thrown down, to proceed from the corner of the governor's house, and (suspected) from the pantry of the governor's house, passes directly over the mouth of the well.

1. Refractory

1. Refractory ward:

Yard, 19 ft. 6 in. by 27 ft. 3 in. Cell, 7 ft. 4 in. by 9 ft. 10 in.
Light over the door; one iron bedstead, and fire-place.

2. Refractory ward:

Yard, 20 ft. 2 in. by 27 ft. 3 in. 2 Cells (each) 10 ft. by 7 ft. 5 in.; height 8 ft. 2 in.
One of these, solitary cells; now used as a kitchen for Mr. Hunt.

Female infirmary, occupied by Mr. Hunt:

Yard, 29 ft. 2 in. by 27 ft. 3 in. Day room, 13 ft. 5 in. by 9 ft. 7 in.; height 8 ft. 7 in. exclusive of the bow.

Factory:

Yard, with workshops; looms at work; stoves in the several parts; spinning and looms; tailors shop.

All appear in a very good and thriving state.—At stated hours of the day, Mr. Hunt allowed to walk in the factory yard.

Female ward, N° 1:

Yard, 22 ft. by 59 ft. 10 in. Day room, 9 ft. 11 in. by 16 ft. 6 in.; height 8 ft. 9 in.
1. Cell 9 ft. 10 in. by 7 ft. 5 in. 2. D°. 3. D°.

Female ward, N° 2, generally for women who have children:

Yard, 27 ft. 6 in. by 59 ft. 10 in. Day room, 16 ft. 4 in. by 9 ft. 10 in.; height 8 ft. 4 in.
Day room exceedingly well arranged; provision room, good.

Chapel:

Yard, 21 ft. 9 in. by 12 ft. 9 in. Chapel, 22 ft. by 25 ft. 6 in.; sitting for 135 people; well ventilated and lofty.

Convicts ward:

Yard, 21 ft. 9 in. by 23 ft. 4 in. Day room, 13 ft. 6 in. by 23 ft. 9 in.; height 9 ft. 3 in.—Dining and day room very good.

Felons ward:

Yard, 47 ft. 5 in. by 29 ft. Day room, 13 ft. 6 in. by 23 ft.; height 9 ft. 3 in.—Sunshine nearly over the whole yard; day room good; a suitable bread room.

General observations made on Sunday and Monday.

About two o'clock on Sunday last, Mr. Eastwick perceived the offensiveness of the water of the new-time yard pump.

The pumps of the new-time yard, old-time yard, and upper debtors yard were locked up, by order of the commissioners, on Sunday evening, and were opened on Monday morning in presence of Dr. Woodford, Mr. Eastwick, and myself, when we perceived nothing offensive either in taste or smell. The water from each of the wells was tested by acetate of lead and sulphate of copper, and no indication was shewn either of the presence of sulphurated hydrogen or ammonia.

The reason for the disappearance of these offensive qualities, we conceive, might be owing to the wells having recently been opened for the purpose of inspection, and by which these volatile effluvia might have escaped.

	Ft.	In.
The depth from the level of the pavement in the old-time yard to the surface of the water in the well, was	9	6
Depth of water	5	4
Depth of the well	14	10

Upper debtors yard:

Depth from the surface of the yard to the water	8	2
Depth of water	1	6
Soft mud	0	7
Total depth	10	3

Drain from the sink of the kitchen very near the pump well.

Palmer, a prisoner, who came in on Tuesday last, complained, immediately on using it, of its offensiveness.

It tasted perfectly sweet to all the gentlemen and the prisoners to-day (Monday).

The wells having been opened on Saturday last for the purpose of this examination, it was conjectured by the prisoners that the offensiveness of the water had escaped.

Lower debtors yard:

The wall of the well in this yard was built up with loose stones, uncemented.

	Ft.	In.
Depth from the pavement to the water	10	$5\frac{1}{2}$
Depth of water	1	$2\frac{1}{4}$
Total depth	11	8

The water of this well said by the prisoners to be very offensive in the morning.

Depth of privy 10 ft. 5 in.; strong current under it.

Convict yard:

	Ft.	In.
To the water in the well	9	1
Depth of water	2	1
Total depth	11	2
Depth of privy	11	4

Felons yard:

Water reported by all the prisoners to be very good.

Back yard—the governor's well.

Depth to the water	9	2
Depth of water	2	0
Total depth	11	2

Male infirmary, now misdemeanor ward:

To the water of the well	9	2
Depth of water	2	2
Total depth	11	4

Water said by the prisoners to be always bad; but, as we conceived, by the well being opened, the offensive effluvia had escaped, as it was sweet and good when we were there.

1. Refractory yard:

	Ft.	In.
Depth to the water	8	10
Depth of water	1	2
Total depth	10	0

2. Refractory ward:

One of the cells used by Mr. Hunt as a kitchen.

In the last flood, the water of the sewer was reported to us as having passed through the crown of the arch into the former well of this yard.

The walls only separated the sewer and the well.

It was reported to us that a new well was sunk, in consequence of the water of the former well being complained of, and, in sinking this new well, that some human bones were dug up, such as are frequently dug up round and about Ilchester.

	Ft.	In.
Depth to water	9	10
Depth of water	4	2
Total depth	14	0
Factory yard:—Depth to water of the well	10	5
Depth of water	1	7
Total depth	12	0
Female ward:—To the water	11	7½
Depth of water	1	4½
Total depth	13	0

General and preliminary observations respecting the ground floor, wells, &c.

It appears that the gaol stands upon about one acre of ground, in which there are ten wells, all the privies, sewers and drains. The strata under the prison, are doubtless similar to those in the immediate neighbourhood, ascertained by us from conversation with James Parfit, an old well sinker at Ilchester. The stratum being gravel, into which they dig in all the wells at about the depth from nine to eleven feet, and the water being detained by a stratum of shale and clay, it appears obvious, that all the wells in the prison are supplied by water percolating through this gravel. It is therefore rendered extremely probable, that the water in all the ten wells of the prison, have a slow communication throughout the gravelly stratum under the whole prison.

On the above observations, we suspected that there must be a general communication between all the under ground works of the prison, which reached this gravel through the superincumbent earth. For the determination of this point, we have caused accurate measures by levels, depths and distances, to be made.

Not being myself aware of the degree of comfort to which the inmates of a prison are entitled, or how far the provisions in regard to health may be suffered to go consistently with the security of such a place, I cannot lay down data for positive information.

But we have a very easy mode of comparison, by referring to the merits of each of the wards.

Thus, for example; the wards of the convicts and felons, who may be supposed to be the greatest delinquents, appear much more airy, healthy and warm, than those wards at the back of the prison, and those appropriated to the debtors and time men.

The

The size of the yards, and the height of the walls, and the ventilation, are more adapted to promote and preserve the health, and we may almost say the comfort of the prisoners in the convict and felon wards, than in those rooms and cells with the north aspect and high walls surrounding the yards of the wards at the back of the gaol.

It appears obvious, that, where there is the least exposure to the sun, the courts should be most open, that in winter, with such high walls, the ventilation may be made more wholesome by the sun.

It certainly appears, that the best situations are appropriated to the greatest delinquents, and that there is a greater want of exposure to the sun, ventilation, and general commodiousness of rooms in the back of the prison.

It is impossible to imagine any thing better adapted to its purpose than in the whole arrangement of the convict and felon wards. With the exception of the necessary strong provisions in the cells, no hospital could be situated with a better prospect of promoting the health of its inmates.

Taking these wards as my model, the others are, in different degrees, deteriorated by comparison.

But, in a general view of the whole prison, I beg by no means to be understood, from my want of knowledge of the construction of prisons, to imply that it is possible to have all parts equally good; or, that any bad consequences would ensue from, perhaps, the unavoidable difference in the construction of the several apartments in a building of this description.

The size and situation of all the rooms, cells, &c. of the first floor throughout the gaol; their position in regard to the external wall, as to height and distance.

1st Class Time men:

Four cells, each 6 ft. 4 in. by 8 ft. 5 in; height 8 ft. 8 in.

Iron bedsteads, beds rolled up, two in each cell, sometimes two in one bed; two of the cells are without windows.

2d Class Time men, occasionally used as receiving cells:

Six cells, 7 ft. 3 in. by 5 ft. 11 in.; height 7 ft. 10 in.

Debtors visiting room:—Size, 8 ft. 3 in. by 12 ft. 4 in.; height 7 ft. 11 in.

Upper debtors chamber:—Size 20 ft. by 23 ft.; height 8 ft. 4 in.

Lower debtors chambers:—1. - - - 7 ft. 10 in. by 14 ft. 10 in.; height 8 ft. 4 in.
2. - - - 7 ft. 8 in. by 14 ft. 3 in.; height 7 ft. 4 in.
3. - - - 10 ft. 7 in. by 9 ft. 8 in.; height 8 ft. 1 in.

Constable's chamber:—Size 4 ft. 9 in. by 8 ft.; height 8 ft. 4 in.

Laundry:—No. 1.—27 ft. by 15 ft. 3 in.; height 11 ft. 6 in.—No. 2.—same as No. 1.

Male infirmary, occupied by misdemeanors:

1.—14 ft. 5 in. by 9 ft. 6 in.; height 8 ft. 6 in. 2.—13 ft. 10 in. by 13 ft. 8 in.; height 8 ft. 6 in.

Mr. Hunt's or female infirmary:

Size 14 ft. 2 in. by 9 ft. 5 in.; height 8 ft. 9 in. Papered and boarded.

Female cells, 1.—Seven cells, each 7 ft. 4 in. by 9 ft. 10 in.; height 8 ft. 3 in.

Female cells, 2.—Four cells, each 7 ft. 4 in. by 9 ft. 9 in.; height 8 ft. 3 in.

Convicts and Felons, all ranged together:

Eight cells, each 8 ft. 5 in. by 6 ft. 10 in.; height 8 ft. 3 in.

Bedrooms or cells, open grates (doors) and inside door of wood; small window to each.

Second Floor:

1. Time men:—Six cells, 7 ft. 8 in. by 9 ft. 2 in.; height 8 ft. 2 in.
Four cells, 6 ft. 6 in. by 8 ft. 8 in.; height 8 ft. Airy and wholesome.

2. Time men:—Chambers 1. - - 12 ft. 11 in. by 7 ft. 3 in.; height 6 ft. 9 in.
2. - - 12 ft. 11 in. by 9 ft. 3 in.; height 6 ft. 9 in.
3. - - 7 ft. 10 in. by 9 ft. 11 in.; height 6 ft. 9 in.
4. - - 7 ft. 9 in. by 9 ft. 11 in.; height 6 ft. 9 in.

Condemned cell:—Size, 14 ft. 8 in. by 8 ft 6 in.; height 8 ft. 2 in.

Guard cell:—Size 8 ft. 9 in. by 3 ft. 7 in.; height 8 ft. 2 in.

Upper debtors chambers:—1. - - 20 ft. by 23 ft.; height 6 ft. 10 in.
2. Lindo's chamber, 14 ft. 5 in. by 11 ft.; height 7 ft. 9 in.

Lower debtors chambers:—1. - - 14 ft. 9 in. by 12 ft.; height 7 ft. 4 in.
2. - - 8 ft. 2 in. by 8 ft. 3 in.; height 7 ft. 5 in.

Bedrooms closer than upper debtors, but smell sweet.

Convicts and Felons:

Eight cells, each 8 ft. 5 in. by 6 ft. 10 in.; height, 8 ft. 3 in. Same as below, full view of the country, airy, and remarkably good.

Sleeping room, or old condemned cell:

Size, 14 ft. 8 in. by 9 ft. 9 in.; height, 8 ft. 7 in.

Guard cell, size 4 ft. by 9 ft. 4 in.

Three cells, each 7 ft. by 9 ft. 10 in.; height, 8 ft. 7 in.

Six cells, each 7 ft. 3 in. by 10 ft. 2 in.; height, 8 ft. 7 in.

Third Floor:

2. Time men's chambers:—1. - - 16 ft. 1 in. by 17 ft. 4 in.; height, 7 ft. 7 in.
2. - - 16 ft. 1 in. by 14 ft.; height, 7 ft. 7 in.

Upper debtors chamber:—Size, 25 ft. 2 in. by 21 ft.; height, 10 ft. 11 in.

Lower debtors chamber:—Size, 14 ft. 10 in. by 21 ft. 9 in.; height, 6 ft. 2 in.

Windows in felons passages:—Size 3 ft. 6 in. by 3 ft. 7 in. on the square of each.

Most of the 1st time men's cells have a window in them of the above size.

Front of prison SW. by S.

Upon a general view of the state of the prison I was much struck with the cleanliness and wholesome appearance of the several wards, rooms and cells, and with the prisoners confined therein. There seems to be a deficiency by the want of a proper infirmary, which I am given to understand is about to be erected on ground purchased for that purpose.

June 22d, 1821. *Geo. S. Gibbes.*

(R.)

Report of Mr. Eastwick.

W. H. EASTWICK begs respectfully to state to the commissioners, that he has, agreeably with their request, chemically examined, in conjunction with Sir George S. Gibbes, the waters of the several wells pointed out by them; this examination has been more particularly directed to the detection of deleterious impregnations, which occasionally exist in mineral waters, though extending in its range to every substance which these waters could be supposed to contain. The experiments are detailed and embodied in the Report which Sir G. S. Gibbes has drawn up; and his observations and opinions thereon, W. H. Eastwick begs to state, perfectly coincide with his own.

W. H. Eastwick has paid particular attention to the character of the soil, and the whole under-ground work of the prison; and the inferences drawn therefrom in Sir G. S. Gibbes's Report are, in the opinion of W. H. Eastwick, correct.

June 22, 1821. *William Henry Eastwick.*

(S.)

Report of Dr. Woodforde.

HAVING received instructions from the commissioners appointed by His Majesty's commission under the great seal of the United Kingdom of Great Britain and Ireland, for the purpose of inquiring into the state of Ilchester Jail, I beg leave to present the following Report on the subject:

My observations and inquiries have been particularly and personally directed to the boundary walls, the courts, the public and private apartments, the culinary processes, and other offices; the infirmary; the quality of the water; the state of the wells and drains; the cleanliness and ventilation of the courts, rooms, and cells; the beds and clothing of the prisoners, their present state of health, the nature of their diseases, and the mortality of the prisoners.

The height of the boundary and inner walls do not appear to me capable of producing any injurious effect from the heat or dampness, because there is evidently a free admission of air. I have carefully examined the dining or day rooms and the different cells; and, with a few exceptions, I have no hesitation in declaring them to be of sufficient size, and to be provided with every necessary accommodation.

The beds and bedsteads, with the clothing of the prisoners, are properly constructed, and consist of proper materials.

The exceptions above stated relate to the debtors rooms, especially the day rooms, which appear to me to be too small, and rendered still more defective by the culinary processes carried on in them, having a tendency to injure the health by causing too much heat.

The wash house and laundry are well adapted to the intended purpose, and allow the necessary processes to be safely carried on. The state of the prison, in general, is remarkably airy, clean, and good; but I must observe, that I perceived offensive smells from the privies, —an inconvenience which, if possible, should be obviated.

I do not, however, apprehend that any direct or certain evil can or does arise from this source.

In respect to the present infirmary, I am of opinion that it is very improper and unfit for the purpose, as I repeatedly witnessed during the existence of the epidemic fever in 1817: it is the chief and great desideratum in the jail, which will be fully supplied by the intended new infirmary, and which, from its situation and size, will, in my opinion, be adequate for the purpose. I must also remark, that the present tubs for bathing are not so convenient as tin slipper baths, two or more of which should be at hand. Both hot and cold baths must be occasionally requisite; and I therefore advise that the new infirmary be provided with both. I cannot but highly approve of the practice adopted in this prison of bathing, or washing with warm water, all unclean prisoners on their admission.

In

In passing through the jail, I was forcibly impressed with the clean and healthy appearance of the prisoners; proving to demonstration, that they are not suffering from their confinement.

The chapel, for its size, is extremely well ventilated, having ten windows; but I judge it to be inconveniently small for the congregation, which often amounts to one hundred and thirty persons.

As to the particular state of the wells, the water, and the drains, I cannot speak with sufficient accuracy or precision on this part of the enquiry, it having been undertaken by Sir G. Gibbes and the two surveyors, Mr. Anstice and Mr. Underwood, to whose Report I beg permission to refer; remarking only, from the sensible properties of the waters I am fully of opinion it possesses not one noxious principle; and that, from the nature of the diseases under which the prisoners have or do now labour, there is not the slightest reason for believing they have originated in, or have been in any way influenced by, the state of the water.

The regular and complete washing of the courts and floors once a week, and the white-washing of the whole house four or five times a year, is a practice greatly to be commended, and very conducive to the health of the prisoners.

The site of Ilchester Jail is remarkably open, not surrounded by trees, hills, or any other objects that can impede or prevent a free circulation of air.

In the space of thirteen years, I find there have been twenty-six deaths in the prison. In the last three years, the average number of prisoners is as follows:

In 1818, four hundred and eight; in 1819, five hundred and nineteen; in 1820, four hundred and seventy-eight.—In these years the deaths were, in 1818, five; in 1819, one; and in 1820, one.

I consider this statement of the mortality determines with precision the salubrity of the Jail of Ilchester; being thereby convinced, that the number of deaths among the prisoners is not greater than what occurs to the same number and class of persons living in their own habitations.

According to Dr. Price's calculation, which I deem applicable to this point, the proportion of inhabitants dying annually in moderate towns is from one in twenty-four to one in twenty-eight; and in country parishes and villages, one in forty or fifty.

I have resided and practised as a physician extensively twenty-seven years in the neighbourhood of Ilchester, and can testify that it is generally healthy, and not subject to any endemic diseases.

The epidemic fever of 1817, and before spoken of, appeared in the adjacent towns and villages many months before it discovered itself in the jail, and must therefore be considered as an imported disease.

The above Report, founded on personal and accurate inspection and observation of every external and internal part of the jail, enables me, on deliberate reflection, to affirm, that the situation, discipline, and economy of Ilchester Jail in general are well calculated not only to preserve, but to promote the health of the prisoners.

(Signed) *James Woodforde*, M. D.

Castle Carey, June 22d, 1821.

(T.)

Report of Messrs. Anstice and Underwood, the Surveyors.

WE, the undersigned, having received from Sir George Gibbes the following propositions and questions relative to the Gaol at Ilchester, together with directions to report our answers thereto, unto the commissioners appointed under the great seal to inquire into the state of the said Gaol; *viz.*—

> " The fall of the water through the drains towards the river, and of the smaller
> " drains from privies, &c. into the large drains. The porosity of the materials of
> " which the drains are composed, and the manner in which the mason work of the
> " drains and of the privies and wells is done, whether with mortar, puddle, tarras, &c.
> " whether water tight or not. State of the pavement of the whole gaol, and of the
> " usual method of keeping it clean. Is the pavement pervious to water; and does
> " the water sink through the pavement when it is washed?"

In conformity with those directions, we humbly beg leave to report, that we have proceeded to take such levels of the parts of the said gaol as we have thought to be most conducive to the well understanding of the manner and means by which the river water is conducted from the tail of Mr. Tuson's mill through the water carriages and sewers of the gaol, and as we consider the head of waste water of the mill, as penned or dammed up by the fender or door, to constitute the power by which the water is forced through the gaol, we have therefore taken the top of the said dam as a fixed station from which to lay down a comparative statement of the levels of the several parts of the gaol which have been laid open to our examination, for that purpose, and we beg leave accordingly to report, that the fall, or difference of level between the top of the said dam or fender and the bottom of the mouth of the lower or westernmost drain under the factory yard, is two feet four inches and two-eighths of an inch, and that the levels, with reference to the top of the said dam, of

the several places so taken, are inserted in a plan of the gaol which accompanies this report, and to which we beg leave to refer, observing, however, that when the levels were taken the water of the river stood ten inches in depth on the said bottom of the drain under the factory, which occasioned the actual fall to be only one foot six inches and two-eighths of an inch, and we apprehend that the water of the river is seldom sufficiently low to admit of the whole fall above stated taking effect.

With respect to the small drains from the privies, and their communication with the larger drains, we beg leave to observe, that in most instances the privies are furnished with funnels of good masonry, which lead perpendicularly into them, and in the few cases in which the privies are not immediately over the drains the inclination of the funnel from the perpendicular is very small.

As to the smaller drains from the pumps and sinks, we have reason to believe they generally terminate in the greater drains, either after passing through urinals or otherwise, but we have not had an opportunity of completely determining this point; these circumstances, as also the general directions or courses of the water carriages and drains, as laid down in the before mentioned accompanying plan, have been ascertained by the actual inspection of Mr. Underwood, but in which the other subscriber, Mr. Anstice, did not accompany him nor inspect the same otherwise than he was enabled so to do, without going into the drains, which service he was not able to perform.

Mr. Underwood also reports that he found the drain, which lies under the keeper's house, of the gaol set or sunk from two to three inches in depth, and those under the washhouse also set or sunk as much, which occasions a lodgment of water in these places, and also is, in his opinion, the cause of the water not passing out of the second and third drains hereinafter mentioned, and the consequent accumulation of soil and filth therein, immediately under the privies of the time yards; in every other respect Mr. Underwood reports that he found the pavement of the drains tolerably even and unbroken, and the walls, together with the arches or crowns of the drains in very good repair.

The materials of which the drains are composed consist generally of lyas stone set in common mortar, their covering a brick arch set also in mortar, the bottoms of the said drains being paved with lyas stone, except as to the first or easternmost lateral drain, which is not paved, and is covered with flat stone on top; the dimensions of this drain at the mouth is one foot nine inches in width by four feet eight inches in height, the other lateral drains are on an average about two feet wide and four feet three inches high. We consider these drains to be, for the greater part, water tight, though we have reason to believe that they are not wholly so, but in some instances are pervious to water through the joints of the masonry; and here it may be proper to remark that, by observations made by Mr. Underwood, on the flow of water through those drains or courses, during the time of his being in them for the purpose of examination, and which was at times when Mr. Tuson's mill was not being worked, it appeared that a current of some force passed from the place where the water enters the gaol, through the whole length of the longitudinal water carriage or sewer, and discharged itself in part at the lower drain under the factory.

Through the first cross drain from the mill, a considerable quantity of water has been passing during the present week, we believe uninterruptedly, but in the second and third, little or none has passed; from the four open drains beyond or westward of these last mentioned, we have observed the water charged with soap suds escaping into the river at several times during the week, which water we have reason to believe was the waste water of the gaol washhouse.

The several wells of the said gaol which we have had an opportunity of inspecting, are lined or steaned from the bottom to the top with stone masonry, laid without mortar, puddle, or tarras, so constructed, we presume, as is commonly done, to admit the water from the stratum of gravel from which the wells of the gaol appear to be supplied with water. The covering of these wells generally consist of a flat stone laid in mortar, some depth under the surface of the ground.

The state of the pavements of the gaol, which extends over every part except the upper and lower debtors wards, the refractory yard, No. 1, and the male infirmary yard, is generally good, as to the purpose of pavement, but being in many places somewhat sunk, and the joints open, we apprehend that a considerable portion of the water used for the washing of the several courts must pass through their joints; and as we have been given to understand that it is the practice to wash the yards with water from the river seven times in the week, we are of opinion that a portion of the water so used may percolate through the upper soil into some of the wells, and may, in some trifling degree, adulterate the water therein.

Having before mentioned the manner in which the waste water of the mill is conducted into or under the gaol, we have only now to report our opinion, that the method at present observed, of allowing the waste water to pass off from the longitudinal water carriage into the cross courses or sewers, as it flows along the former, will admit of considerable improvement, and the same quantity of waste water from the mill may be made to scour the cross or lateral drains more effectually than is at present done, by means of sluices or sliding dams placed at the entrances of each of the said cross or lateral drains, from the longitudinal water carriage, by which means the water in the said longitudinal carriage may be retained therein, till filled to the level of the dam or fender at the tail of the mill; the water so retained may be then directed through each of the cross drains, by means of drawing either of the before-mentioned sluices, as occasion may require, by which method a rush of water may be obtained to act much more forcibly than by the present method of allowing the water to spread itself over a very extended surface, without the means of giving it a proper direction;

but

but even should those means of increasing the action of the water taken at the mill tail be found not to answer the end above alluded to, it may not be impracticable perhaps in future to procure a sufficient supply of water for that purpose, to be taken from such a higher level, as could not fail to effect the purpose, of removing all filth and nuisances from the drains of the gaol, as such may daily arise.

Humbly submitted *Rob. Anstice,*
George Allen Underwood,
Ilchester, 23d June 1821. Surveyor to the County of Somerset.

(U.)

A Return of the capital convicts who were executed in the county of Somerset, from the 10th day of April 1809 to the 2d of May 1821.

	NAMES.	CRIMES.	When carried into effect.
No. 1.	James Taylor	Murder	April 10th, 1809.
2.	Thomas Gage, alias Torr	Murder	April 9th, 1810.
3.	Samuel Gerrish	Highway robbery	April 25th, 1810.
4.	Arthur Bailey	Stealing letters from the Bath post office	Sept. 11th, 1811.
5.	Joseph Bagg	Setting a house on fire	April 21st, 1813.
6.	Samuel Evans	Rape	Sept. 15th, 1813.
7.	Thomas Chilcott	Sheep stealing	Do.
8.	George Long	Stealing in a dwelling-house, above the value of 40s.	April 20th, 1814.
9.	Sarah Ovens	Do. Do. Do.	Do.
10.	James Pearce	Murder	Aug. 22d, 1814.
11.	James Marsh	Murder	April 8th, 1816.
12.	Thomas Webb	Burglary	April 24th, 1816.
13.	James Gardner	Ravishing an infant	Sept. 11th, 1816.
14.	John Bodmin	Assaulting a subject with intent to rob and murder	April 30th, 1817.
15.	Joseph Turner	Burglary	Do.
16.	John Pitts	Sheep stealing	Do.
17.	Thomas Langdon, alias Lang	Burglary	Do.
18.	Abraham Slade	Burglary	Do.
19.	Monk Sheppard	Murder	April 6th, 1818.
20.	William Pitcher	Stealing in a dwelling-house above the value of 40s.	April 29th, 1818.
21.	Edward Blandy	Highway robbery	Do.
22.	George Nuttycombe	Forgery	Sept. 2d, 1818.
23.	Robert Fry	Forgery	Do.
24.	John Watkins	Sheep stealing	April 28th, 1819.
25.	William Sage	Sheep stealing	Do.
26.	Charles Hibbert	Causing the words "Bank of England" to appear visible in the substance of papers	Sept. 8th, 1819.
27.	Duke Flower	Burglary	May 2d, 1821.
28.	John Kew	Highway robbery	Do.

(V.)

Charges preferred against William Bridle, the Gaoler of the County and Governor of the House of Correction in His Majesty's Gaol at Ilchester, in the County of Somerset, by Henry Hunt, Esq. a prisoner confined in the County Gaol, under a sentence of the Court of King's Bench, for two years and six months, for attending a peaceable Meeting at Manchester on the 16th of August 1819. Laid before Thomas Grimston Estcourt, Esq., Charles Godfrey Munday, Esq. and John Delafield Phelps, Esq., His Majesty's Commissioners appointed to inquire into the conduct of the Gaoler and the state of the Gaol of Ilchester.

First:—Gross neglect of duty, and disregard of the orders of the magistrates.

Second:—Drunkenness within and without the gaol.

Third:—Gambling in the gaol with some of the prisoners for *pounds*, and inflicting torture upon others for playing for *pence*.

Fourth:—Swearing blasphemous and horrid oaths within and without the gaol.

Fifth:—Absenting himself from divine service, and selecting a blasphemous and abandoned debtor for his clerk who never attends divine service.

Sixth:—Opening the gaol doors during the elections and at other times, and admitting the populace with colours and bands of music, dancing himself, in the presence of the prisoners, with the women of the town, giving them liquor, and encouraging drunkenness, debauchery and riot within the walls of the gaol.

Seventh:—Cruelty and injustice to the prisoners, male and female, and amongst other things, withholding, during sickness and fevers, meat, wine and other necessaries allowed by,

and charged to the county, and appropriating them to the use of himself, his family and visitors.

Eighth:—Permitting, at other times, such necessaries charged to the county and purchased for the sick prisoners, to pass through the hands of his brother and sister-in-law, the taskmaster and mistress, who had a large family of children, that he knew were deprived of the common necessaries of life, in consequence of his having stopped back and withheld half their salary which the county had allowed them, and applied it, without their consent, to pay off a real or pretended claim of his own.

Ninth:—For embezzling the property of the county;—candles, soap, straw and meat, wine and groceries, &c. intended for the sick.

Tenth:—For inflicting torture upon the prisoners, male, female and infants, unknown to the magistrates.

Eleventh:—For compelling boys and men for misdemeanors, to associate with, to work, and even sleep with felons, convicts, housebreakers, coiners, and even making boys sleep with a man convicted of bestiality.

Twelfth:—For compelling women of all classes of crimes, as well as debtors, to mingle together in the same ward, and sleep together in the same cells.

Thirteenth:—For turning the gaol into a brothel; two female convicts having been got with child in his own house, being himself the father of one of the bastards, and strongly suspected of being also the father of the other, which bastards have been kept at the county expense, and the county deprived of the labour of their mothers.

Fourteenth:—For placing debtors in solitary confinement, and depriving them from seeing their wives in private, without any order from the magistrates.

Fifteenth:—For conniving at the prisoners being imposed upon by the shop people, and imposing arbitrary and partial rules, without their being sanctioned by the magistrates or the judges of assize.

Sixteenth:—For making interlineations, erasures, and false entries in a book called the Occurrence Book of the Gaol, in order to deceive, impose upon, and hood-wink the magistrates, so that he may be the better enabled to carry on his infamous and cruel practices in the gaol without detection.

Seventeenth:—For breaking open the letters of the prisoners, contrary to law, and in direct violation of a circular letter from Lord Sidmouth, entered in the Magistrates Journal.

Eighteenth:—For compelling the prisoners to wear one pair of stockings for many months together, without any change or washing, also their linen for many weeks together, without washing; thus endangering the health and the safety of the whole establishment by pestilence and fevers.

Nineteenth:—For employing some of the prisoners to work at hard labour the whole of the Sabbath day, continuing the same during chapel hours, himself and his clerk setting the evil example of a total disregard of all religious duties, thus daringly violating the laws of God and man, while he had the hardihood to lock up other prisoners in solitary confinement, because they declined to endanger their health by attending the chapel.

Twentieth.—Illegally and inhumanly placing prisoners in heavy irons before trial, causing them to take their trials so manacled and shackled, and constantly executing criminals in irons.

Twenty-first:—For concealing from some of the magistrates, that the water of the gaol was proverbially bad and unwholesome, and that the prisoners were suffering great bodily pain therefrom; and conniving, with other magistrates, and the firm of perpetual under-sheriffs Messrs. Broderip and Co. to debar the prisoners, particularly the debtors, from receiving milk, water, beer and other necessaries, in reasonable quantities, at reasonable hours in the day time; and, in fact, of being instrumental to all those atrocities enumerated in a publication entitled "A Peep into Ilchester Gaol," a copy of which is hereunto annexed.

May 25th, 1821. *Henry Hunt.*

(W.)

Defence of Mr. Bridle.

To His Majesty's Commissioners of Inquiry.

Gentlemen:—I stand before you charged with flagrant and criminal misconduct in my office, as Governor of this prison. The offences imputed to me by Mr. Hunt involve almost every transgression which a bad heart can prompt, and a shameless want of principle can execute. It is a singular feature in my supposed long and guilty career, that I committed every culpable or criminal act in the most open and undisguised, I might almost add, ostentatious manner. Amongst all the accusations against me, it is not imputed that I resort to any secret or favourite agent for my bad purposes: no person is corrupted by fee or favour to be the clandestine instrument of my cruelty or fraud. If I commit the most unprovoked cruelty, the meanest fraud, or direct felony (for that has been insinuated), I am charged with perpetrating each without counsel or caution, and before those most interested and most prone to expose and ruin me. Yet, by some fatality, although vigilantly superintended by an upright and discerning magistracy, and surrounded by those who would probably profit by my removal, and whom, in the course of my duties, I often offend by a strict enforcement of theirs; in the midst of hundreds of depraved and abandoned characters,

racters, always discontented and murmuring, I have passed thirteen years without any attack on my humanity that would bear a moment's investigation, and without the slightest imputation on my integrity.

Mr. Hunt becomes a prisoner in this jail. Its peculiar cleanliness, the quantity and quality of the food, and other allowances were at first eulogized by Mr. Hunt;—all was well, till an order of the magistrates limited the time and manner of his receiving visits from females, not being his wife and children. From that moment I am the object of his implacable resentment; though acting only in obedience to my superiors, I incur his spirit of revenge. Every engine is set to work to effect the ruin of my character, and the destruction of my prospects. I apply to the magistrates for the dismissal of several officers for misconduct, amongst them my own brother, George Bridle. Mr. Hunt's sagacity, sharpened by resentment, seized this moment to attempt my ruin. He knows well that a discarded and revengeful servant is a ready and fit tool with which to work the destruction of a master; he is too well versed in human character not to know, that in a prison it would be easy to find numbers whose abandoned and daring characters was a guarantee that they would aid, without scruple or conscience, in the overthrow of the gaoler. By the most insidious art and baneful industry, charges are manufactured against me spreading over a space of twelve or thirteen years. I am discovered to be a monster of inhumanity and rapacity; the jail a receptacle of disease and filth, the hotbed of indecency; and the magistrates blind dupes, or the sanctioners of cruelty and oppression! I am supposed to torture helpless and unoffending individuals without cause or assignable motive, and to starve others without any possible benefit or view; and if the evidence be true, whenever I have had to decide between two disputing parties, I have invariably selected the innocent for punishment, and let the guilty escape untouched! If, on a full and attentive hearing of magistrates, an accusation against me has been dismissed, and the accuser discharged for a frivolous imputation, at the end of ten years the magistrates are arraigned, and I am to be condemned!

With an income sufficient for my wants and wishes, and more than I ever desired to spend, I am supposed to defraud the county by petty embezzlements, and to do it so openly and wantonly as every day to endanger my character, situation, and prospects. And in whom is this shameless want of feeling and principle discovered and exposed? I began life without a friend or a shilling. My father, with a family of ten children, failed when I was quite young;—that I might not be a burthen to him, I left his roof, and have never tasted of the bread that was not purchased by my own industry. Thirteen years ago my character obtained for me the election to the office I now fill, when there were twenty candidates. When I was elected, Sir John Acland was chairman of the quarter sessions, and took an active interest and indefatigable pains in the concerns of the prison. The improvement and reformation of the prisoners, and the safety and government of the gaol, for the whole period till he resigned the chair, was a chief object of his attention and solicitude. He would remain here an entire day, sometimes two, inspecting the prison, visiting the prisoners, whether they were in health, in sickness, or solitary confinement; he knew the conduct, the condition, and history of every prisoner; he caused the gaol books to be laid before him for his inspection, and sought information upon every transaction in the Occurrence Book, or Magistrates Journal; he uniformly invited the prisoners to make any complaints or requests to him, and listened to them most patiently. I reported the state of the gaol to him every fortnight, and detailed to him by letter every thing important which took place in his absence. I have expressed by letter to Sir John Acland my earnest desire that he would do me the favour and justice to come before this commission, and state the whole tenor of my conduct for eleven or twelve years. From him you will learn if my disposition is cruel and mercenary, and from him you may learn the character and conduct of the chief witnesses against me. As to the particular charges attempted to be made out against me, I will now state them, and the evidence by which I shall refute them, with as much brevity as the nature of the case will admit. The charges that have failed from want of proof, I shall make but one comment on—that they exhibit the malignity which originated the whole. I will, as I proceed, acknowledge with frankness where I have transgressed, trusting that the motive and circumstances accompanying the act may extenuate my conduct, and conciliate the lenient judgment of the commission. I have no interested view to serve by concealment or delusion; for, as I have before intimated distinctly to the magistrates, I would rather suffer the severest penury, than expose myself again to a situation where life, character, and peace of mind are in a great degree at the mercy of the most artful, daring, and profligate of mankind. I will, therefore, solemnly and sincerely relate the circumstances attending the acts imputed to me as crimes or misconduct in my office. What I am from necessity unable to establish by direct evidence, I trust will appear manifest, on a fair conclusion, from the revolting and incredible nature of the evidence against me. And here, with great humility, I cannot abstain from calling the attention of the commissioners to the afflicting disadvantage I suffer by a proceeding meant by the sheriff, I am aware, as a challenge to unrestricted inquiry, and a defiance of any proof to inculpate the magistrate or criminate their officer;—I allude to the permission given to Mr. Hunt to have the prisoners or officers into his room for examination, without the presence of any person on my behalf, or of any individual unbiassed and indifferently circumstanced as to the accuser or accused. It must be obvious how liable to abuse, on innumerable grounds, such a proceeding was: I need not be put to the pain of suggesting how such a liberty might be perverted—it will occur to every intelligent mind. One other observation I beg to urge, as deeply affecting the magistracy of the county, and making their assumed want of justice and integrity the

ground of ripping up transactions, no matter how far back, which were impartially and patiently heard and decided on, and recorded in their Journal. It is a mode of trying a man's life that no conduct, however careful, no integrity, however pure, can guard against; and I do most humbly but confidently submit to the commissioners the hardship and injustice, both to the magistrates and myself, of trying over again accusations made and decided on when the evidence of all the circumstances was easy attainable, and every minute fact could be established upon recent and unimpeachable recollection. Unless it be shewn that some fraud or collusion were practised at the time, I submit that the recorded investigation and decision of the magistrates should be held final. I think the commissioners will, perhaps, permit me to precede my answer to the specific charges by adverting to the accusation of my having introduced the use of stocks by way of punishment or disgrace. I shall be enabled to shew that the stocks, called The Female, has been in the gaol about six years. In that period they have remained open to the view and observation of the magistrates. There is in your notes no evidence of their being resorted to but once;—but I will state what the fact is. They have been used twice in six years: the last time was the instance of Elizabeth Wilkins, who has been examined here as a witness, and she remained sitting in the stocks perhaps for . Mr Phelips has truly stated that the stocks were used merely as a disgrace for lesser transgressions. As to the Boys' stocks, they were introduced about two years ago; and although Mr. Phelips at first did not recollect a knowledge of their use, yet, on being referred to his own record in the Magistrates Journal, he corrected his first impression. I can only add, that the use of the Boys' stocks will be found regularly recorded in the Occurrence Book, or Magistrates Journal. You heard from Mr. Phelips that he should not have sanctioned the use of the stocks if any danger had been pointed out to him. I humbly submit to the commissioners that the danger suggested by Mr. Hunt is problematical and imaginary. I will, by evidence, shew that the allegation, that the boys are compelled to stand in the stocks, is without foundation and contrary to the fact. I will call Grey, whose duty it was to place the boys in the stocks, and he will most satisfactorily shew that, when boys were placed in the stocks, a seat was always provided for them, and that their standing was temporary and optional. That this mode of punishing or disgracing boys was recognized and sanctioned by the justices; I refer the commissioners to the Journal; a variety of instances will be found, for example, in pages 193. 201. 203.

I trust the commissioners will be perfectly convinced, when I call my evidence to that part of the case, that there is no punishment less painful or dangerous, and more useful, than a discreet use of the stocks.

I will now come to the charge of my conduct towards Gardner, and I will redeem my pledge of frankly acknowledging that part of the charge which I cannot justify, and I trust that even my accuser will consider the manner in which I shall state the circumstances of that case, as an earnest that I will most solemnly and conscientiously declare the truth in my other statements and declarations. It will be perceived by the Occurrence Book and Journals, that Gardner was in this prison as a felon, under a capital conviction for housebreaking. It will appear from the same documents, that he was incessantly under disgrace or punishment for culpable and criminal conduct. But I take this occasion to impress on the minds of the commissioners, that the manner and demeanour of a prisoner is often, by mischievous example, of more pernicious consequence and influence in a gaol than direct and specific offence; where order, subordination and discipline are the best, if not the only foundation of security in a community of this description, it is most essential that insolence and contemptuous demeanour be the subject of punishment; prisoners have a thousand ways of insulting and disobeying a gaoler, which might appear light in description, which can be met by no specific rule, and which yet would be destructive of the influence and authority of the governor, and subversive of discipline. It appears amongst the recorded misconduct of Gardner, that he was punished for conveying a note over the wall of the ward; for kicking a fellow prisoner on the leg; for stabbing a man on the knee; for assaulting another; for picking his comrade's pocket; and that he was guilty of cursing and abusing the magistrates; that during his punishments he was hardened and contemptuous in his behaviour, and pertinaciously refused to express contrition, or ask pardon. The records of the Magistrates Journal, and the Occurrence Book, will shew the investigations which took place on these transactions.

Goaded by Gardner's continued misconduct, and irritated by his continued refusal to acknowledge his offence, and his violent abuse of the magistrates and myself, I applied to Mr. Bryer for a blister, and desired it to be applied to his head. I acknowledge I exceeded my authority, and that I cannot justify the proceeding; my extenuation must rest on the perpetual misconduct and provocation which my evidence will establish against Gardner. It is the only instance in which I ever suggested or applied a new and unsanctioned punishment. From the day I was led into the act, I have suffered a thousand times more in mind, than Gardner did in person. I sincerely and deeply lament the occurrence. It will, however, be also recollected, that the unfortunate punishment was suggested to my mind by the impression that Gardner had feigned illness to avoid working. I shall call Mr. Valentine to shew the fact, that on Gardner's declining to work, under the pretence of illness, he visited him, and found that he had no ailment whatever. Let me also direct the commissioners attention to the way in which this man Gardner has ventured to swear in his evidence against me. It is a rule in all courts where a witness (less suspicious and incompetent than a convicted felon) is found to outrage truth and probability in a part, to receive his whole evidence with mistrust, or to reject it altogether. The commissioners will find

that

that Gardner swore "that a man put his foot and pushed him down, and his knife went against him, and cut his knee;" in another place, "it was a little scud only;" this is the description of a transaction which on the face of it was a serious assault, which the magistrates so treated after an investigation, and which I will shew to have been wanton and intentional. This is another instance of the danger and the ill consequence of investigating, a second time, transactions which have been submitted to, and received the decision of the magistrates, when all the facts were fresh in recollection, and the witnesses at hand; but the commissioners shall hear from a less interested witness, the nature and extent of this assault.

The commissioners will please to advert, if they shall see fit, to pages in the Magistrates Journal, 200. 205. 208, which record the investigations respecting Gardner.

One word as to the entry in the Surgeon's Journal. It was entered a considerable time after, perhaps a month; one of the turnkeys came up to me and said, the doctor had never entered Gardner's blister. I went immediately to Mr. Bryer, and desired he would do it. This I do not mention to excuse myself for ordering it, it is merely to shew the fact how it came to be entered subsequently to its proper date.

In respect to the case of Wheeler I can only say, that no punishment of any description was inflicted on him that was not communicated to the magistrates, and sanctioned and sometimes continued by them; this indeed Wheeler acknowledges, and that Mr. Moody told him "that he ought to be locked up the whole time he had to remain in prison." Will the commission believe, that Mr. Moody, an old and respectable magistrate of the county, would have so expressed himself, if Wheeler had not been known to him as a frequent and hardened offender? Wheeler himself adds, that "I mentioned his being so frequent before the magistrates." The magistrates must have best known if that had been the fact. I cannot but repeat the hardship on a gaoler, that he should be called on again to answer what has been subjected to the legal and competent tribunal; and I confidently trust that the conduct and character of the magistrates of this county, will be the best proof that they would not recognize and sanction unnecessary punishment, or lend their sanction to their officer, but upon just and conscientious grounds. It is in evidence that Wheeler made no complaint to the magistrate of the supposed injury to his wrists, or called his attention to it. The conduct of Wheeler will be collected from pages 200, 201, of the Magistrates Journal, and the commissioners have already before them extracts from the Occurrence Book relating to the same prisoner.

I now address myself to Hillyard's case, who is here capitally convicted with Gardner of housebreaking. The complaint against me is, that I placed this man in double irons. The constable, it is in evidence, first complained of him for gambling, for which I ordered him the slightest punishment, a suspension of earnings. This man, in revenge for the constable reporting him, assaulted and knocked him down, in the sight of the other prisoners, and this was done many hours after the report. I am unconscious that there can be a greater offence committed in a prison, than personal violence to one of its officers for doing his duty. What I did was distinctly sanctioned on the following day by three justices, and the punishment continued. Magistrates Journal, 212. To shew the commissioners the manner in which this man has attempted to delude them by exaggerations, I shall call Penny the constable of the ward, to detail the true facts of the case, and I shall offer other witnesses, if the commissioners are not satisfied on Penny's testimony. It will be impossible for me to comment on all the cases attempted to be proved against me, but I shall on each produce evidence to explain and refute what seems to affect my conduct with unnecessary severity.

I am not insensible to the impression which the exaggerated and inflamed account of conduct in respect to my supposed gambling in the prison is calculated to excite. I will with brevity state the facts that gave rise to this accusation: Mr. Kinnear had been a prisoner living for a time in my house; his appearance, demeanour and talents had certainly impressed me much in his favour; I several times had sat down with him to sixpenny whist, and betted sixpence. The occasion in evidence when, at cards, £. 5 was supposed to be seen on the table, thus occurred; and I trust when I have proved what I am about to state, which I shall be able to do most satisfactorily by respectable and unimpeachable witnesses, the commissioners will feel the art and malignity with which this transaction has been dressed up in all the colours of criminality. Mr. Kinnear, Mrs. Badcock. Mrs. Bridle, and I think the rector of Ilchester, Mr. Every, were sitting in my house, and I believe had been playing at sixpenny whist. About half-past nine I left my duties in my office, and joined them; Mrs. Bridle addressed me and said, Mr. Kinnear had been teaching them a new game, which they called Jacobus, which in truth was what is called Gobbo; I said, jocularly, I am always willing to learn; I sat down, and we played sixpenny jacobus; in the space of half an hour the loo had ran so high as £. 5, one of the parties, I believe the clergyman, interposed, and said that only £. 1 should be put down and played for by all, without any new loo, it was acceded to, and the moment the deal was finished, I got up and said emphatically and angrily to Mr. Kinnear, "Sir, I beg you will introduce no more new games in this house, and I will take care this shall never be played again." And I solemnly assert, in the face of my Maker, that neither before or after, was that, or any other expensive game played in my house, with my knowledge or connivance. It is worthy of remark, that this is the only solitary incident which is attempted to be established, to fix on me the character of a gambler. I will call a very respectable person who was present, to verify my statement. The rector is dead, or I would have produced him also to prove the same. What then will the commissioners think of the honour and feeling of the man, who having

experienced kindness and attention from me, could clandestinely communicate such an occurrence, and try to torture it into criminality.

This brings me to the imputation sought to be fixed on me for indulging in too much company, and giving way to intemperance myself and promoting it in others. I confess I should deem it a harsh and unheard of restraint on the gaoler of a prison, to be deprived of enjoying, at reasonable times, the society of his friends. The situation is anxious and arduous, and imposes great necessary constraint on the person who holds it; he is denied a thousand facilities of enjoyment not denied to other stations. But I will state and prove to the commissioners, that the times I had friends in my house, or occasional visitors, were far from frequent, and by no means unreasonable. I may safely assert, that four, at the outside, five times in the year, was as frequent as I had any friends to dine, and those consisted of persons who had shewn my wife attention and civility. In five years of Mrs. Badcock's acquaintance, she may have been in my house, as a visitor, three times a year. Miss Murless was a sort of companion to my wife, whose lameness disabled her for four years past, from moving abroad, and she assisted her in her domestic affairs; this I believe is the chief extent of my extravagance in visitors.

The last subject I shall allude to, except in evidence, is the one that strikes at my integrity; on this topic I have no fear. I trust my evidence will leave no doubt on the minds of the commissioners, that I am incapable of a mean or fraudulent act. If my wife, without intention of ultimate injury to the county, applied trifling articles belonging to the county to the use of the family, I sacredly and deliberately declare I had no direct or indirect knowledge of the fact. I am persuaded that the commissioners will clearly perceive, when they have heard my testimony, that I had rather give to than take from any one, much less from my benefactors. I cannot call my wife, but it is perhaps competent to the commissioners so to do. I am separated from her, but I am sure, if called, she will acquit me of all knowledge of these occurrences, and herself of any mean or fraudulent intent. I ought to add, that no witness has ventured to fix on me the slightest knowledge of what they relate of Mrs. Bridle. As to the straw, the only instance in which I am supposed to be personally connected with its use, it is distinctly sworn, that I desired, if any were ever used beyond my perquisite, it was to be weighed, and an account of it delivered to me. In respect to the sofa, I can declare in the most solemn manner, that it was made in my absence, and that I was totally ignorant of its being made till long after it was finished. It is not pretended that I ever gave any order respecting it; and there is no evil that I do not call down on my head, if I was not totally unconscious of the intention of its being made, or of the materials with which it was constructed. The commissioners may form some idea of my being addicted to such meanness, when I inform them, and can prove, if necessary, by Sir John Acland, that when I entered on my office, the county engaged to furnish a room in my house, and to lay down a carpet at their expense. The furniture was provided, and the carpet;—I paid the whole from my own income, and never asked the county for a shilling towards it. As to the charity-box, when it was opened, it exhibited the best refutation of the unjust and unfounded imputation levelled at my honesty; the cobwebs on the notes, and the three shilling pieces, which have been out of circulation for years, were the most cogent and unanswerable proof of the length of time since the box had been opened. In regard to the accounts, I pledge myself to produce and explain them so satisfactorily, that even my accusers shall see cause to retract any insinuations against their fidelity and integrity. On the subject of my imputed habit of intoxication and neglect of church duty; on the first point, even Mr. Shoreland, after knowing me for thirteen years, with an inveterate enmity towards me, could not bring himself to depose that I am addicted to inebriety. I will call those who were most in my house, and had the best means of knowing, to refute this accusation. In the course of twenty years, I solemnly declare I was never four times drunk, and never within the prison. It was attempted to be fixed on me, that I had latterly been negligent of attendance at chapel. My duties for several years are so increased by the increase of prisoners to double their usual number, that within one year I have been absent on the duties of the prison 112 days. I shall be able, however, to shew, that when present in the prison, my attendance at chapel has been most frequent, and my absence only occasional. I will not detain the commissioners any longer with commenting on the case, but proceed to prove it by evidence. I am aware I have left much unreferred to in this statement, but I will supply the omission by respectable testimony. My character, and therefore my welfare, will be placed in your hands, as both will depend on your report. After twenty-six years of hard industry and an unimpeached character, I trust, that although you may see errors in judgment, or inadvertent negligence in my conduct, nothing will eventually be established to impeach my integrity, or, with one solitary exception, to fix on me an excess of authority or punishment.

W. Bridle.

(X.)

Statement, shewing the number of days on which the Governor was absent during 1820.

January	5th,	left home	- -	9th,	returned	- -	5	days absent	- -	1 Sunday.
	10th,	d°	- - - -	15th,	d°	- - -	6	d°.		
Feb.	10th,	d°	- - - -	21st,	d°	- - -	12	d°	- - - - -	2 Sundays.
March	26th,	d°	- -	April 5th,	d°	- - -	11	d°	- - - - -	2 Sundays.
April	9th,	d°	- - - -	15th,	d°	- - -	7	d°.		
	27th,	d°	- -	May 6th,	d°	- - -	10	d°	- - - - -	1 Sunday.
May	15th,	d°	- - - -	17th,	d°	- - -	3	d°.		
	18th,	d°	- - - -	28th,	d°	- - -	11	d°	- - - - -	2 Sundays.
June	8th,	d°	- - - -	10th,	d°	- - -	3	d°.		
July	10th,	d°	- - - -	14th,	d°	- - -	5	d°.		
	29th,	d°	- -	Aug. 4th,	d°	- - -	7	d°	- - - - -	1 Sunday.
August	12th,	d°	- - - -	20th,	d°	- - -	9	d°	- - - - -	2 Sundays.
Sept.	19th,	d°	- - - -	26th,	d°	- - -	8	d°	- - - - -	1 Sunday.
Oct.	16th,	d°	- - - -	21st,	d°	- - -	6	d°.		
Dec.	12th,	d°	- - - -	19th,	d°	- - -	8	d°	- - - - -	1 Sunday.
						Total absent	- - 111	days,	out of which were	13 Sundays.

(Y.)

Letter from Edward Shepherd to William Pitcher.

Dear Pitcher, Ilchester Castle, January 27th 1815.

I WONDER at your long silence in not writing me before; indeed I was apprehensive I had offended you. I am sorry to find Wastcot has so misled you as to represent the usage or conduct of the governor, turnkeys, or magistrate better than usual; I assure you, Pitcher, if there are any difference, it is for the worst; I leave you to judge of our situation.

I should esteem it a favour if you will write me a long letter, stating the nature of Wastcot's correspondence with you, and let me know if he furnished you with a copy of the Rules and Regulations; if he did not I have plenty of time on my hands, and it might be some criterion to guide you.

My dear fellow, I need not tell you there are people of all sorts in a prison; consequently we have some here unworthy of your confidence, and if you write me on this subject, write diametrically opposite to what you mean, if you intend for the ward to see it, as I am aware it would reach Mr. Bridle's ears in a few hours; if you do not intend it for any person but myself write as you please.

Dear Pitcher, yours truly,
Ed. Sheppard.

Directed Mr. W^m^ Pitcher, at Mr. Yates's,
Attorney at Law, Gloucester.

(Z.)

Letter from Mr. Pinchard to Mr. Bridle, as to the Claim of Nicholas Collard (a Prisoner) of an allowance of Expenses when attending the Assizes.

SIR,—YOU are perfectly correct in your account respecting these expenses. The court allowed for Collard's attendance as a witness the usual sum £. 3. 11 *s.* but directed that, as he was at no expense, either for travelling or subsistence, that one guinea only should be paid to him, and the remainder to you, on account of the expenses. This I told Collard and his wife, after the court had made the order, and have not since seen her on the subject.

Your obedient servant,
Taunton, June 22, 1820. *J. Pinchard.*

(AA.)

Extracts from the Surgeon's Journal.

1817, March 20. Visit, 10 A. M.—IT was this day advised by Dr. Woodforde that there should be linen substituted for the blankets now in use, and that the beds consist of flocks instead of straw. That a room, properly purified and fumigated, be appropriated for the reception of every fresh patient. That the room be sprinkled several times a day with warm vinegar and camphorated spirits; that it be also fumigated in the following manner; Put half an ounce of sulphuric acid into a china cup or saucer, warmed over heated sand, adding to it from time to time some nitre. One vessel in each room on the floor; cloths

J. B. and furniture to be fumigated also with some of the same. All linen and bed clothes, being immediately removed from the bodies of patients, to be immersed in cold water before they are carried out of the sick room. In case a patient should die, the body to be removed into a room, as soon as possible, appropriated to that use. As soon as the coroner has sat on the body, it should be wrapped up in a pitch cloth, and the interment to take place as soon as possible afterwards.

(signed) *J. Woodforde,* M. D.

The bodies of the patients to be spunged with tepid vinegar and water, two or three times a day. The shirts of the sick to be removed every day, and the sheets every other day.

J. B. 1820, November 21. Visit, 1 P. M.—A blister to the head for Thomas Gardner.

J. B. 23. Next visit, 12 noon.

J. V. 1821, February 7. Edmund Treble to have meat for broth.

(BB.)

Extracts from the Coroner's Note Book.

At the Prison at Ilchester, 23d February 1821, on the body of Edmund Treble.

George Goodman sworn. He has attended the deceased since October last, during nearly the whole time he has been ill, and the greatest part of that time he has been attended by Mr. Bryer, or Mr. Valentine, and sometimes Mr. Robinson of this town; in the whole time of his illness he has not wanted for any thing necessary for a man in his situation and state of health; he became worse than usual on Monday evening last, and he was not out of bed afterwards, unless by the assistance of witness and William Raynes, up to the time of his death, which happened yesterday morning, a little after four o'clock; Mr. Bryer visited deceased Monday, and Mr. Robinson on Wednesday evening at about ten o'clock; deceased was then, to all appearance, fast approaching to his end.

The mark ⋊ of *George Goodman.*

Mr. Bryer sworn. He has visited the deceased in the way mentioned by last witness; he saw him on Monday, and he then appeared better; he gave him some cordial medicine then, and ordered him to have meat and a pint of beer a day; he did not appear to have any pointed complaint, but a general weakness and debility; and witness is of opinion that deceased died from a decay of nature. *James Bryer.*

Ilchester Prison, 31st October 1817. In the case of James Ford.

John Tragenza sworn. Says he is a Turnkey of the prison. Deceased brought to the prison at seven o'clock in the evening, on Monday last. Deceased did not appear to be in liquor, but he observed something in his manner strange and not rational; made no resistance when he was ironed. He would give no answers. Deceased had no supper, it not being usual after lock up time. Deceased was ironed in the usual way. Witness left him about half past seven o'clock that night. On Tuesday morning about ten or eleven o'clock, deceased was taken to the washing-tub, and clean clothing put on him; deceased was then taken back to the ward in which he was to remain. From that time to the time of his death, deceased behaved in an outrageous manner, resembling a madman. His conversation was of the same kind. One iron was put on the deceased's right hand on Wednesday night, which being rather large, he (the deceased) had contrived to get off; and last night an iron was put on each hand, and both hands were confined to the side of the bed, by small pieces of chain each about ten inches long. Witness further saith, that this morning, at about seven o'clock, he went to his ward to unlock; his feet and partly his body were out of bed, but his hands still confined to bedside. Witness spoke to him, asked him how he did, to which he gave no answer that he could understand. Witness then unloosed his hands by the way of dressing him. Deceased had ate his allowance of bread, &c. until yesterday afternoon. Witness, after taking off his irons from his hands this morning, put him back into his ward. About half an hour afterwards, say about half past seven, witness was called from his station at the front gate by the two constables, Chamberlayne and Pyke, who said they had heard something fall in Ford's cell, but could not tell what it was, and they requested he the witness to go with them to the cell. They then proceeded to the cell accordingly, and opened the outer door, but could not easily open the inner one, as the body of him, the deceased, laid against it. Witness forced back the body, and then went in with the constables, where they found the deceased "lying crooked" on the floor, dead.

Samuel Pyke and John Chamberlayne, constables, sworn; they corroborated the evidence of the foregoing witness.

Aaron Britten sworn. He was brought to the prison Tuesday last, and was put to sleep in the same cell with the deceased. Says deceased was extremely troublesome, and he firmly believes he was deranged.

James Bryer, surgeon, sworn. Believes the deceased died from some rupture of vessel on the brain, or about the heart, brought on from violent fits of passion occasioned by insanity.

(CC.)

Extracts from the Magistrates Journal.

May 3d, 1809.—That William Game, William Howe, William Andrews, William Beaton, William Hann, Christopher Stodgell, and Charles Hill, be removed into the lower ward, on account of the crowded state of the ward they occupy.

J. Acland. *R. T. Combe.* *W. Hanning.* *A. Moody.*

June 9th, 1809.—The governor having reported to us the misconduct of Sarah Slade and Martha Parsons, and that he had confined them in solitary cells, we visited them; approved what he had done, and ordered him to continue their confinement till they became orderly. We inquired of the debtors whether they had any complaints to make to us, and their answer was they had none. We went over every part of the gaol and found every thing very orderly, regular and clean.

R. T. Combe. *W. Hanning.*

June 24th, 1809.—The governor having represented to us the misconduct of Mary Fuller, we advised him to keep her in solitary confinement till further orders.

Josiah Thomas. *A. Moody.* *James Tuson.*

July 22d, 1809.—Went over the gaol and found every thing remarkably clean and neat. *E. Gapper.*

July 31st, 1809.—Inspected the gaol and found every part in perfect good order.

W. Hanning. *R. T. Coombe.*

Sept. 19th, 1809.—The governor having stopped the county allowance of bread and pence from William Hackett, a debtor, on Sunday the 10th instant, for refusing to obey the directions of him and the turnkey to assist in cleaning the gaol,—Ordered, that the discontinuance of the bread be confirmed till he will alter his behaviour and do as directed. The governor having confined in solitary cells Thos. Jefferies and William Selwood, on Saturday the 9th inst. for refusing to work on the outside walls,—Ordered, that the same be confined till they are again inclined to work. *E. Gapper.*

28th Sept. 1809.—Debtors called in; the debtors have no complaint to make.

A. Moody.

4th Jan. 1810.—The debtors all assembled; they have no complaint to make.

J. Acland. *W. Hanning.* *A. Moody.* *W. H. Colston.*

Nov. 4th, 1810.—Visited the gaol and found every thing perfectly regular, and the several parts of the gaol clean and orderly. *W. Hanning.*

Dec. 22d, 1810.—Visited the gaol, and ordered that William Browne be continued in solitary confinement for attempting to break gaol. *W. Hanning.*

Jan. 10th, 1811.—Various accusations have this day been brought forward by Philip Avery and John Chapman, turnkeys of the said gaol, against Mr. Bridle, the governor, the same having been fully and attentively heard, we, the undersigned, do fully acquit the said Mr. Bridle of the above accusations, and do order and direct that the said Philip Avery and John Chapman, the turnkeys aforesaid, be immediately discharged, and they are hereby discharged accordingly.

J. Acland. *W. Hanning.* *G. H. Templer.* *A. Moody* *W. Melliar,* for the sheriff.

April 18th, 1811.—The prisoners throughout the gaol are called on to say if they have any complaint to make against the governor or his officers of any nature or description, when they all say they have none.

J. Acland *W. Hanning.* *A. Moody.*

Same order.—Joel Hill, a debtor for 27*l.*, having applied for an allowance of county bread, and it appearing, by his own confession, that he is worth 320*l.* vested in the funds,—Ordered, that the same be not allowed, but that Mr. Bridle, the governor, do employ him on the gaol labour if he applies.

Feb. 13th, 1812.—Visited the gaol and found every thing regular, and examined some prisoners as to a supposed conspiracy, and ordered Thomas Good to be kept in solitary confinement for prevarication. *W. Hanning.* *A. Moody.*

May 14th, 1812.—I visited and examined the gaol; found prisoners at work in the laundry and work yard, and all things in good order. *J. Acland.*

May 15th, 1812.—Special Sessions. Present, J. Acland, J. Phelips, A. Moody, visiting magistrates; and J. Newman and R. T. Coombe, also magistrates. It is resolved, that Mr. Bridle do cause a border to be made in each of the debtors yards, against the south and western aspects, of 12 feet wide each, in order to raise vegetables in; and that proper parades be made on the outside of such borders, for the accommodation of the prisoners walking. *J. Acland.* *J. Phelips.*

June 15th, 1812.—On inspecting the Occurrence Book, found J. Gulliford had been playing at cards, and behaving disorderly: sent for him to be examined, with a view of

ascertaining from whom he obtained the cards; he refused to come, and on being at last brought by force, has still refused to give any account of himself, as to what manner he came by the cards, but in the most outrageous manner assaulted both the turnkeys in execution of their duty. Ordered him into solitary confinement, and to be properly secured.
J. Phelips.

Aug. 17, 1812.—I visited the gaol, and found every thing clean and well; and no person had any complaint. *W. Dickinson.*

Sept. 24th, 1812.—I inquired of Mr. Bridle if there was any thing that required the interference of a visiting magistrate, and was informed, only one circumstance, relating to Cross. I had Rich. Cross brought up for having threatened to run a knife into a man, and talked to him on the brutality and consequences of such an act. He replied, that it was not true, but that the other prisoners in the ward used him ill, because he would not join another in attempting to kill the constable that brought him here. It is impossible to ascertain the truth of the above circumstances, from such evidence. I have therefore desired Mr. Bridle to be particularly watchful over this man, as connected with the other prisoners, when he is sent back, but at present to place him in another ward. I sent for the constable of the ward, and reprimanded him for not telling Mr. Bridle the moment any circumstance tending to riot took place in the gaol. He laid the blame of disturbance entirely to Rich. Cross, which confirms me in the propriety of the direction I have just given, to have him kept in a separate ward for the present, and perhaps it will be best to stay till further directions; for the quiet of the ward is the first thing to be attended to. *W. Dickinson.*

Oct. 24th, 1812.—There appearing to be £. 19. 14. 3. in the charity box, it is recommended to Mr. Bridle to purchase a barge-load of about 10 tons of coals, and that the same may be distributed occasionally to the prisoners, under the discretion of the governor, until further orders. *A. Moody.*

Dec. 5th, 1812.—Visited, and found all well; and no complaint. *A. Moody.*

Dec. 15th, 1812.—Visited the gaol, and ordered that Stockham has no work till he has satisfied the governor for his improper conduct. Went over the gaol, and found all well.
J. Phelips.

Dec. 20th, 1812.—In consequence of W. Goodford having transmitted me a letter received from J. Allen, stating that various cruelties were exercised on, and improper deprivations suffered by the prisoners from Bath, I again visited the gaol, and not in the presence of the keeper, severally and jointly asked them all if they had any complaints to make. Their answer was that they had none; and that they had made none since Mr. Dickinson visited.
J. Phelips.

Jan. 4th, 1813.—Ordered an inquiry if there were any complaints, and answered there were none. *A. Moody.*

Jan. 23d, 1813.—Visited and looked over the gaol, and inquired if any prisoner had any complaint to make, and was answered none. *A. Moody.*

Feb. 2d, 1813.—Visited the gaol, and made personal inquiry of all the prisoners if they had any subject of complaint, or any thing to be submitted to the visiting magistrate's notice, was answered in the negative. *J. Phelips.*

March 8th, 1813.—Recommended that the fees be demanded from those debtors on their discharge, who refused to attend divine service on Sunday the 7th ult. *J. P.*

Special Sessions, April 22d 1813.—Complaint having been made against James Culliford, Charles Stockham, George Phippen and John Arnold, debtors, for neglecting the prison labour and for abusive language to the governor and taskmaster, and such complaint appearing to be well founded,—Ordered that each of them be placed into the infirmary ward, and there to be provided with labour and paid in proportion to their earnings.
J. Acland. J. Phelips, A. Moody.

June 22d, 1813.—Visited and went round the gaol, and saw the prisoners locked up; found every thing orderly and regular. *Rich. Thos. Combe.*

July 8th, 1813.—Jonathan Spencer placed in the refractory ward by the governor, on the 3d inst. for outrageous and violent conduct. Ordered that he be continued therein until further orders. *J. Acland. A. Moody.*

August 13th, 1813.—I visited the gaol, and asked in every ward, if there were any complaints; there were none, and every thing appeared cleanly and in good order.
W. Dickinson.

September 30th, 1813.—Thomas Rossiter and Joseph Tilley learning the trade of shoemakers, and receiving one shilling per week each for their benefit, which the magistrates present, on the report of the governor, conceive to be amply sufficient for their labour, and they having expressed dissatisfaction with such allowance,—Ordered that each of them be discontinued from their employment as shoemakers and placed in the time men's yard.
J. Acland. J. Phelips. A. Moody. W. Dickinson.

October 26th, 1813.—I visited in the gaol, &c. John Willis appeared to me in solitary confinement; and, on turning to the minutes of the governor's journal, I found, on inquiry, his statement perfectly correct: and during the time Willis was before me, he behaved himself

himself in a very insolent and improper manner, which obliged me to order him to further confinement, with handcuffs. *W. H. Colston.*

November 20th, 1813.—Samuel Quick being found gaming with William Lovelace,—Ordered, that they be confined separately, till they appear sensible of their fault; and that Lovelace should forfeit his share of earnings to the county for one week.

J. Phelips.

November 25th, 1813.—Present, John Acland, William Dickinson, F. Penny, esquires, the under-sheriff, and clerk of the peace.—In consequence of a representation transmitted from the gaol at Ilchester, that some of the debtors confined there were about to present a petition to the House of Commons, complaining of certain grievances and hardships, the before-mentioned gentlemen assembled at the gaol this day, for the purpose of inquiring into and investigating the said representation; when it appeared that a petition to the House of Commons had been prepared, with the names of seven debtors only signed thereto, which was in the hands of Thomas Cookesly, one of the debtors, a copy of which is hereunto annexed;—that on the examination of the said Cookesly, and of all the other persons who have signed the said petition, it appeared that all the petitioners, with the exception of Samuel Nerton, who from inability could not be employed, have been placed in a situation to earn from six to twelve shillings per week respectively, according to their respective abilities;—that some have received the whole of their earnings, and others have received a part, funding the residue, to be paid to them on being discharged out of custody; —that the said Samuel Nerton, not being able to work, receives the usual county allowance of bread and pence;—that the hours of working are from a quarter past seven in the morning to a quarter past four in the afternoon, during which time, they are allowed three-quarters of an hour at breakfast, and one hour at dinner;—that, exclusive of such coals, occasionally given to the said debtors, they find coals and candles for their respective wards by subscription amongst themselves, which, by the management of the governor, has been reduced from eight-pence to three-pence halfpenny per week per head;—that it having been found necessary, in order to enable the several persons employed in work to pursue such work, and earn such wages as aforesaid, that a person, under the denomination of a constable, should be appointed for each debtor's ward, whose business it is to make all the beds, remove, clean, and replace the chamber utensils, to wash and keep clean the bed-rooms, and staircase leading thereto, the common day-room, to light the fire, and to prepare and dress the victuals, and to keep all the kitchen requisites clean, and all other menial offices belonging to the ward; for which the said constable receives four-pence per head per week, or thereabouts, from every debtor confined therein;—that all the debtors in the upper ward, who do not receive any assistance from the county, either by bread or work, are permitted to purchase two pints of beer or cyder, or one pint of wine, every day; —that such who receive assistance from the county, as aforesaid, are excluded from purchasing beer or other liquor out of their allowance, but are permitted to receive, from any friend visiting them, the like quantity of liquor per diem as above stated. It also appears, by the admission of John Arnold, that he, with three others, was, some time since, separated from the other debtors and confined in the infirmary ward (but not in a condemned cell), for idle and riotous behaviour, which rendered their separation from the other debtors necessary; but, during such separation, they were allowed task-work, for which they earned *7s. 6d.* per week each; and that the yard of the ward in which they were so confined is 36 ft. 9 in. by 21 ft. instead of 11 ft. 6 in. as falsely stated in the petition; and the apartments of that ward are as commodious and comfortable as any in the gaol. It further appears, by the statement of Thomas Cookesly, that once during his confinement, his wife, with an unfortunate blind child, came to visit him in the gaol;—that, at that time, the constable was washing the common day-room, as is usual, and that he, his wife and child went to the conversation room, where they drank tea together;—that Palmer, a fellow debtor, who was at that time receiving two shillings per diem wages for work as a carpenter, being discovered idling away his time in the conversation-room, was ordered by the taskmaster to go to his labour. It further appears, that the person alluded to, as being always ready to write letters and advise with who were not able to do it themselves, is Charles Hill, yeoman, a prisoner many years confined as a debtor to the crown;—that the said Charles Hill having been frequently detected in defrauding some of the prisoners, who had occasionally applied to him for his advice, he was, by an order of the magistrates, assembled at their gaol sessions some time since, suspended from giving such advice, and that order read to the debtors on the same evening at their muster; and it also appears, that the governor and his clerk have been at all times ready to give assistance gratis to all those who might not be able or willing to employ a professional person, of which notice has been repeatedly given to the debtors by the magistrates and also by the governor, who has actually rendered such services whenever required. That by the rules of the gaol, all proper persons are allowed to visit their relations or friends confined therein during six days of the week, but that in consequence of a variety of inconveniences having arisen from admitting persons to visit on a Sunday, the magistrates, at their gaol sessions, found it necessary to limit the visit to professional men only, who may have business with any of the prisoners confined therein, which order was to take effect on the 1st of November instant, of which a month's previous notice had been given to the prisoners within the gaol. It appears also by the admission of John Arnold, Thos Cookesly, Chr Stockham, John Batten, Saml Murton, Richd Martin and Willm Read, being the only seven persons out of the number of fifty confined in the debtor's wards, who appeared to have signed the said petition, that they have not any complaint whatsoever to make against

the governor or any of his officers, but on the contrary, admit he has always conducted himself very well towards them. It being stated in the said petition, "that if any of the "debtors applied for the least redress to the keeper, they were not only cursed and called "villains, &c. and threatened to be put down in the condemned cell, and that if the debtors "say to the governor or keeper, that they would apply to any person above him, his answer "is, they may do their worst, for he did not care for all the world nor ten worlds." It appears that the whole of the above statement is false, and that the said governor has at all times been ready to hear any complaint, redress any grievances, give any advice or assistance, and do any other acts of kindness to the said debtors, and that at the very time the said petition was fabricating by the said Thomas Cookesly and others, the governor was, at the request of the said Thos Cookesly, soliciting relief from the society at Bath, established for the purpose of relieving debtors confined in the said gaol, in order to procure the discharge of the said Thos Cookesly. It further appears, by the admission of the several debtors above-mentioned, that in all cases it has been a voluntary act of their own in being employed in the gaol labour, and that they have invariably made application to the magistrates for that purpose, and they continue voluntarily to work at the present time, and that their wages vary from 6*s.* per week each to 12*s.* according to their respective trades or abilities.

(A copy verbatim.)

The right honourable members of the honourable House of Commons, in the present Parliament assembled:—The petition and statement of the undersigned debtors confined in his Majesty's gaol of Ivelchester, in the county of Somerset, most humbly sheweth, That your petitioners most humbly beg leave to state to your honourable House, a few of the many restrictions and privations they labour under. First; we beg to state to your honourable House, those whom are confined in this prison, are the greater part, or we may say, the whole of us, people for small debts, the greatest part of which are people who where brought up in a respectable manner; but now through the many frequent and accourrent circumstances in the way of business, were arrested for those small debts, and not being able just at that time to pay it, were obliged to come to prison, where we may say are used full as bad, leaving out the irons, as the most enormous creaters now existing. Secondly; those who are old, and those who are not, enjoy a good state of health, are allowed one and a half pound of bread and a penny per day, and the greatest part of the others are so reduced from our long confinement, not having any property to support ourselves, are obliged to work, and are kept to work, with those whom have received sentence, some of transportation, and some of death, but reprieved. We are had out in the morning as soon as it is light, and work until it is dark; are allowed three-quarters of an hour to breakfast, and an hour to dinner, having but six shillings per week, out of which we are obliged to find our own coals and candle, and pay a person in the ward four-pence per week each for making our bed, not being suffered to do it ourselves, and we are not allowed to have a drop of any thing to drink but water. Thirdly; as one of our fellow creatures were almost famishing for want, went to the pump to drink a drop of cold water, for which he where taken out of the ward and put down in a place called the condemn cell, where the prisoners are kept after they receive sentence of death, until they are executed, in which place he where kept sixteen weeks, and only eleven feet six inches of ground for him to walk on, and where allowed but three shillings to live on for twenty-one days. Fourthly; another of our fellow creatures after his long confinement, had his wife, who walked 37 miles to see him, bringing a child which were born blind, about three years old in her arms, in the month of July last, and going in the ward, the constable where washing the kitching, &c. which where all covered with water, so that it where not a proper place for a woman coming of such a journey and bringing a child in her arms, who where in a state of prespireation to sit, went out of the ward with her husband in a place called the Conversation Room, to have a drop of tea, not being suffered to have any thing more; when another of his fellow creatures passing by at the time, asked him to give him a cup of tea, which he did; the clerk to the keeper coming and seeing him drinking it, ordered him to his work, and had his days wages stopt, which he is never to receive, and the person with his wife and child where ordered in the ward immediately, where they went; and we are sorry to say the wife have been ill ever since, and even at this time nothing expected but death from the child. Fifthly; another of our fellow creatures, who have been confined here eight years, where always ready and kind enough to write a letter or advise with those who where not able to do it themselves, is now stopt from, saying, if we want any business done whatever, we must send for an attorney, even whose advice we cannot get without we pay him 6*s.* 8*d.* which we beg the most honourable members will consider to be a verry distressed case for people in our situation. Sixthly; indeed we may say this is the most distressing case of the whole, as the rules of the gaol always admitted our wives and friends to come and see us on Sundays, being the only day we could spare the time to speak and consult with them, as we have no more time on any other day to consult with them than we have stated to you in case the Second, as they are not suffered in the prison after five o'clock in the evenings, and even if they where our wives are obliged to be home other days, to endeavour to get a little support for themselves and our dear little, indeed we may say, fatherless children, whilst the father is here labouring under the most strictest and cruel severities, but were always happy when Sunday came, to think we were going to see our wives and some our dear little children. But we are now sorry to inform you this rule have been done away with ever since the last Sunday in October last, and we are now not allowed to have a wife friend

nor

nor child to come near us to see us any more on a Sunday, which we most humbly beg and pray you will consider to be a verry distressing case. We have here taken the liberty of mentenion these few cases to you, and could many more, would it be not to much trouble for you to refer to them; therefore we now most humbly beg and pray, that the most honourable members of the House, will have the goodness to consider our distressed situation, and endeavour to remove these many cruel difficulties which we are now labouring under; if we apply for the least redress to the keeper, we are only cursed and called rascal, villain, &c. and threatened to be put down in this condemned cell; if we say to him, we will apply to any person above him, his answer is, we may do our worst, as he says he don't care for all the world, nor ten worlds; therefore, as we have now laid down our distressed cases before you, most humbly beg the most honourable members will have the goodness to remove the strict severiets we are at this time labouring under, and as, in duty bound, your petitioner will ever pray.

Person to refer to for case the third, *John Arnold.*
Person to refer to for case the fourth, *Thomas Cookesly.*
Person to refer to for case the fifth, *Charles Stockham.*

John Batten. Samuel Nurton. Richard Martin. Wm. Read.

Nov. 26th, 1813.—Present, John Acland, John Phelips, Aaron Moody, William Hanning, and William Dickinson, esquires; William Hungerford Colston, D.D.; Edmund Broderip, under sheriff; and Edward Coles, deputy clerk of the peace.—Proceedings of yesterday, with a copy of the petition therein alluded to, read and ordered to be entered in the magistrates journal. Thomas Cookesly called in again, when he stated, that Charles Hill, at different times said, that whenever the debtors wanted any redress, they had better apply to the House, meaning the House of Commons. Hill was applied to to prepare the petition, but refused, giving as a reason, he was likely to remain in prison longer than any of the others, and therefore refused; he said the petition had better be sent to Sir Samuel Romilly. Upon this he (Cookesly) prepared the petition under the direction of all the other debtors in the lower ward, except Hill, which when done, was read over to Hill and all the others; when Hill said it had better be done over again, and begin in a different manner; and informed him (Cookesly) and all the other debtors, in which manner it ought to be done; which was done accordingly, and signed by the whole, except Hill, Stephen Flower, George Flower, James May, and Henry Stuckey. Nathaniel Palmer was the person selected to send up the petition, but which was never done, in consequence of his (Cookesly) objecting to it. Hill and Batten frequently consult together, and ridicule the officers of the gaol. Nerton said, that if he (Cookesly) would not send it, and by his giving him a copy of it, he would.

Magistrates Journal, page 119.—Copy of a letter received from the clerk of the peace, directed to Mr. Bridle, Ilchester Gaol.

Sir,—Mr. Coles is desired by John Acland, esq. to forward you the annexed copy of a letter, which is to be entered at length in your book, kept for similar purposes, and for the inspection of the visiting and other magistrates. I am, sir, in Mr. Coles's absence,

Your most obedient servant,

Taunton, 3d May 1815. *Samuel Reynes.*

(Copy.)—Letter addressed by Lord Sidmouth to Mr. Cunningham, the governor of Gloucester Gaol.

Sir, Whitehall, 9th Nov. 1814.

I address this letter to you, in consequence of certain complaints that have been made relative to the government of Gloucester gaol, and the report of the visiting magistrates thereon. It appears, that there has been a practice of opening the letters, either addressed to, or written by prisoners of the classes of felons and fines, under a notion that it was your duty to do so. I feel myself therefore called upon to repeat the opinion which I expressed in a letter addressed to the chairman of the quarter sessions of the county of Gloucester, on the 12th July last, that the law will not warrant such a practice; letters should be opened in such cases only, in which there is reasonable ground to suspect, that a communication is intended for purposes of confederation in crimes, or which may produce disorder in the gaol, or lead to escapes, or other mischievous consequences. It must be left to your discretion to decide upon individual cases, in which fair suspicion may warrant you in opening such letters to prevent apprehended mischief; but if it is done as a general practice, or without probable cause of suspicion, it will be highly reprehensible. I think it also necessary to repeat, though not called for in the same degree, by any practice proved to have existed in the gaol under your care, that the legal advisers, or friends of prisoners, should be permitted at seasonable times, to have access to them, for the purpose of preparing for their defence or trial, or for the protection of their rights and interests. But as application of this sort may be made a pretence for improper or unseasonable communications, it must remain for you to exercise a fair and honest discretion, in deciding whether the application for access or communication, be for the real purposes stated, and act accordingly.

I am, &c. &c. (Signed) *Sidmouth.*

P.S.—As the high sheriff and the visiting magistrates are annually appointed, I have to request that you will communicate to them from time to time, as occasion may require, the contents of the above letter. *S.*

Nov. 16th, 1814.—We visited the gaol, and found Warden handcuffed and in solitary confinement, for resisting Mr. Bridle by force. We ordered him to be continued; but directed Mr. Bridle to unhandcuff him in the evening, as his own act. Elizabeth Smith is also in solitary confinement, for corresponding clandestinely through a hole in the wall with Plunkett; we have ordered her to be continued, partly for this act, and partly to prevent her corrupting by bad example and bad conversation, the other women, hoping it may have the effect of mending her conduct. *W. Dickinson.* *R. T. Whalley.*

Dec. 12th, 1814.—Heard a complaint against William Tolfree, for threatening to run a knife into Thomas Bassett; which was satisfactorily proved by Thomas Derham and William Bave. I accordingly ordered him to be put into a ward by himself.
R. T. Whalley.

April 20th, 1815.—We have visited and inspected the gaol. We have found Elizabeth Smith in separate confinement; and, from her disorderly conduct with other prisoners, we feel obliged to direct, that she be further continued in separate confinement.
J. Acland. *R. T. Whalley.*

May 3d, 1815.—Lord Sidmouth's letter, see ante, Nov. 9th, 1814.

Adjourned Sessions, July 6th, 1815.—Present, William Dickinson, John Goodford, Gerard Martin, Berkeley Napier, Aaron Moody, William Hanning, Thomas Poole, Esquires, Richard Thomas Whalley and John Clarke, clerks justices, Edmund Broderip, gentleman, under sheriff, and Edward Coles, gent. deputy clerk of the peace.—In consequence of a petition from Charles Hill, a debtor in Ilchester gaol, complaining of being placed in solitary confinement, and fed on bread and water, and its having been said in the House, in a conversation on the subject, the letters of debtors were opened, an investigation took place, the result of which has been, that Mr. Bennet took occasion to state to the House, "that he "had received a communication from Mr. Dickinson, relative to the petition he had presented, "by which communication he was satisfied that the petitioner was no way warranted in the "statement he had made; and that the complaint was untrue. He embraced with pleasure "an opportunity of declaring, that from all he had ever heard, the gaol at Ilchester was one "of the best regulated in the kingdom, and the magistracy who controuled its management "among the most meritorious. Besides this, he added, that he was instructed to state, that "no letter from any debtor was ever opened by the gaoler, and that he believed there was "no instance to be found where the practice had taken place." Ordered, that the clerk of the peace do cause the same to be promulgated, through the medium of the county papers, and that he do prepare a report of this case, to be laid before the justices at the ensuing quarter sessions. *R. T. Whalley.*

Sept. 12th, 1815.—Ordered, that in consequence of a circumstance noticed in the occurrence book, for the future, the boys be not allowed, under any consideration whatsoever, to sleep with the men. *John Goodford.* *R. T. Whalley.*

Oct. 12th, 1815.—Joseph Evans, having behaved very riotously, has been properly confined in the refractory ward, and is continued at his labour there. *J. Acland.*

Oct. 24th, 1815.—I came over to Ilchester in consequence of a letter from Evans, received yesterday, complaining that good *deal* had been cut up for Mr. Bridle's use. I examined the witnesses produced; and the conviction on my mind is, that a piece of deal was improperly cut up, without Bridle's knowledge, and not for his use. Evans has delayed making this complaint, till Hamilton and Maddox, who, he says, are his principal witnesses, had been liberated. I have ordered this man back to the solitary confinement in which I found him, where he has a yard and work, for I am convinced of the necessity of supporting the authority of the governor by so doing. I have left the minutes I made in Mr. Bridle's possession.
W. Dickinson.

On going afterwards into Evans's ward, he asked me to order off his irons. I then examined the place where he had attempted, on Oct. 14th, to get over the boundary wall of his ward, and I think it inconsistent with his safety to order them off. *W. Dickinson.*

Oct. 25th, 1815.—Having received a letter from Evans, stating many complaints, came down to make inquiries concerning them; but observing the above note, made yesterday by Mr. Dickinson, after a full investigation, considered any further inquiry unnecessary.
A. Moody.

Nov. 14th, 1815.—Joseph Evans having so often offended, and having got over the paling of his ward, as noticed above, is to continue for the present in solitary confinement, and in irons. *R. T. Whalley.*

Gaol Sessions, Feb. 20th, 1816.—Present J. Acland, George E. Allen, A. Moody, Thomas Poole, esquires, R. T. Whalley, Elias Taylor, clerks. Present also, the high sheriff, under sheriff, and deputy clerk of the peace.

Joseph Evans, that he be continued in his present solitary confinement, the justices present being of opinion his recent conduct highly merits it, and that he be supplied with work there.

Ordered, that all debtors employed within the gaol as mechanics, who have hitherto received from 8*s.* to 12*s.* per week, be for the future paid from 6*s.* to 8*s.* funding all above 6*s.* Also ordered, that all debtors employed as labourers, who have hitherto received 8*s.* per week, be for the future paid 4*s.* 6*d.* Also ordered, that all other classes of prisoners employed

employed as mechanics, whose earnings have hitherto been estimated at 12 *s.* per week, be for the future estimated at 8 *s.* per week; and that 1 *s.* per week be paid them, and 1 *s.* funded. Also ordered, that all classes of prisoners employed as labourers, whose earnings have been estimated at 6 *s.* per week, be for the future estimated at 4 *s.* 6 *d.*; that 9 *d.* be paid them weekly, and 4½ *d.* funded. Also ordered, that females and boys employed in the gaol labour, be continued at their existing rate of allowance. By order of the Court.

Coles, D. Clerk of the Peace.

April 7th, 1816.—As Charles Barry has behaved in a disorderly manner,—Ordered, a clog to be put on him until further orders; and as Bishop, Farthing, and Varcome have conducted themselves improperly,—Ordered, that they be still confined where they now are. Ordered, that Catherine Goulding be continued where she now is, for improper conduct at divine service. *W. H. Colston.*

April 18th, 1816.—Joseph Evans applied to be released from his solitary confinement, which the justices did not think proper to order, in consequence of his former misconduct upon many occasions.

Gaol Sessions before *J. Acland*, *A. Moody*, *J. Newman*, Esqrs. Dr. *Colston*, *R. T. Whalley*, clerk.

August 13th, 1816.—Visited and went round the gaol. Charles Hilliar having escaped from gaol on Sunday night, the 11th instant, and retaken on Monday night, and brought back on Tuesday noon,—Ordered, that he shall be confined in his cell, and also Daniel Parker to be confined in his cell, for concealing Hilliar's absence at locking-up time the night he made his escape. *W. H. Colston.*

Sept. 18th, 1816.—Ordered the refractory prisoners to continue where they are for the present. *A. Moody.*

Sept. 26th, 1816.—Ordered, that Richard Franks, whose time expires on Monday, may be allowed to go on Sunday, as he states it will be a great saving to him, in point of expense, in getting to his own home. *A. Moody.*

Dec. 22d, 1817.—Ordered, that John Bond do not receive any further portion of his earnings, until sufficient money be stopped till the county be repaid the sum lost in cutting his dress.

Feb. 6th, 1818.—Most of the men in the time yard having refused to work this afternoon, complaining that they had no coal to dress their dinner,—I ordered, that for their refusal their portion of their earnings for this week be stopped. *R. T. Whalley.*

Feb. 19th, 1818.—Mr. Bridle having reported the crowded state of the felons wards, and requested that Hill and two other debtors now in the infirmary ward, may be sent into the poor debtors ward, so as to make room for some of the felons,—Ordered accordingly.

A. Moody. *R. T. Whalley.*

May 30th, 1818.—Ordered, James Bamfield in a solitary cell for two days.

W. H. Colston.

Nov. 15th, 1818.—Ordered, that the county allowance of bread be withholden from Samuel Bernard and John Dabinett, for sending the same out of the gaol, it appearing that they could not want it for their own sustentation, unless Mr. Bridle shall see occasion, previous to the visit of another magistrate, to restore their allowance. I sent for the keeper of the outer lodge, and admonished him to be more vigilant in future, in preventing prisoners in future from disposing of county property. *J. Phelips.*

Nov. 15th, 1818.—Visited this gaol and released Ch. Scott from confinement, on her promise of future amendment. *J. Phelips.*

N. B. The date to the two foregoing entries must have been made by mistake, as the 15th of November was on a Sunday, and Mr. Phelips did not visit on a Sunday.

Jan. 7th, 1819.—The governor having called our attention to the gross misbehaviour of Pillinger, Maynard, Cox, Fenessey, and Wyborn, who had been gambling and otherwise violating good order in the gaol;—Ordered, that they be continued in their present situations till the next appointed visiting magistrates shall otherwise direct.

J. Phelips. *A. Moody.*

March 18th, 1819.—Ordered, that Robert King be continued in irons for misconducting himself. *J. Quantock*, junior *R. T. Whalley.*

April 22d, 1819.—Ordered, Richard Hague to be mulcted three pence of his pay, for striking William Thomas, a boy under his care, and for making use of improper language.

A. Moody.

May 31st, 1819.—William Budd to remain for the present. *A. Moody.*

Aug. 28th, 1819.—Investigated the charge preferred by Mr. Bridle against Richard Pullen, for purloining different articles from the workshops; which was fully established and admitted by his own confession;—Ordered, in consequence, that he be continued in his present confinement. *John Goodford.*

Dec. 7th, 1819.—Visited the gaol and found three women in solitary confinement for abusing and ill treating each other, whom we ordered there to be continued, as they did not appear to us to give a proper and true statement of the dispute between them.

J. Phelips. *J. Quantock*, jun.

April 6th, 1820.—Present, William Dickinson, John Goodford, Aaron Moody, esquires, the Rev. Richard Thomas Whalley, Edmund Broderip, under-sheriff, and Edward Coles, clerk of the peace.—Parts of the prison, upon an inspection, appearing to be in a disordered and an unclean state, the governor was remonstrated with on account thereof, and who, during his absence to the assizes, imputing neglect to the taskmaster, he, the taskmaster, was admonished accordingly, and the governor was particularly cautioned to guard against a recurrence of a like nature, the health of the prisoners so much depending upon cleanliness. By order, *Edward Coles*, Clerk of the Peace.

May 1st, 1820.—I had the handcuffs taken from Charles Beny and James Ketch, they having promised to behave better in future. *J. Newman.*

May 18th, 1820.—Visited the gaol, ordered a boy of the name of Wheeler, a convict for two years hard labour, who had been guilty of a disturbance, and of fighting with another boy, to be confined in a separate cell till he shall amend his behaviour; and approved of Mr. Bridle confining the legs of such boys as shall be disorderly in the workshops. *J. Phelips.*

May 23d, 1820.—I ordered the handcuffs to be taken from Abraham Giles, on promise of future good conduct. *J. Newman.*

June 6th, 1820.—It is ordered as follows, by the magistrates whose names are below written, together with the under-sheriff, that Mr. Kinnear be no longer boarded or lodged in the governor's house, but that Mr. Kinnear and Mr. Hunt be placed on an equality in the same ward. Ordered that Mr. Kinnear and Mr. Hunt be permitted to receive their visitors in their own ward at the regular hours, until the visiting magistrates direct otherwise. Ordered that Mr. Bridle may, if he thinks proper, furnish the before mentioned prisoners with provisions dressed in his kitchen at their expense, but if either Mr. Bridle, Mr. Kinnear or Mr. Hunt find the above regulation inconvenient, Mr. Bridle is directed to apply to the visiting magistrates for further orders. Ordered that Mr. Kinnear and Mr. Hunt may be allowed the assistance of the present attendant in their ward, until further directions. Ordered that Mr. Bridle do prepare a floor for a bedroom fixed on by the magistrates in the misdemeanor ward, for the use of Mr. Kinnear, and Mr. Kinnear be placed in it on Monday next, if Mr. Bridle can so soon get it ready.

J. Phelips. *J. Newman.*
John Goodford. *R. T. Whaley.*
Henry Gould. *Edmund Broderip*, Undersheriff.

June 17th, 1820.—Visited this gaol for the purpose of filling up the blanks in some certificates; received a letter from Mr. Hunt, which I have laid in this book for the magistrates inspection; went over the gaol; Mr. Hunt applied for leave to walk in the yard of the manufactory, after the working prisoners had been removed, for two hours in the evening. I have told Mr. Hunt that on such a subject I must consult the other magistrates who visited with me; and ordered a door to be put to the bedroom in which Mr. Hunt sleeps. *John Phelips.*

June 24th, 1820.—Upon reflecting on the state of the gaol, I cannot forbear calling the attention of the magistrates to the infirmary department, male and female, both of which are now occupied, the former, in part by Mr. Kinnear for near twelve months, the latter by Mr. Hunt for near two years and a half. In case of any illness or sickness, which it is impossible that such a great community can be long without, there appears to be no resource for setting any prisoner or prisoners apart from others, to prevent infection from spreading in the gaol, or to afford invalid prisoners that quiet and privacy essential to their recovery. Were Mr. Kinnear to be taken ill, and confined to the male infirmary, the whole must be given up to him; and, on the other hand, were Mr. Hunt to be taken ill, it might be necessary to give up the whole of the female infirmary to him. And were any prisoners, male and female, to be taken ill, there appears to be at present no means whatever of providing for them. It appears therefore necessary that some immediate provision should be provided for to meet these expected contingencies; and I am confident, that the magistrates will pardon me for drawing their attention to the subject which has already undergone the consideration of the quarter sessions, and the magistrates at Ilchester, and which peculiar and imperious circumstances now press for execution in some measure calculated to meet the case. *J. P. Acland.*

6th July 1820.—Present, William Dickinson, John Goodford, John Newman, John Phelips, Aaron Moody, John Thring, Thomas Poole, esqrs. William Phelips, clerk, Edmund Broderip, undersheriff, and Edward Coles, clerk of the peace.—Certain written requests having been made by Mr. Hunt, on the part of himself and Mr. Kinnear, and the same having been considered,—Ordered, that Mr. Hunt and Mr. Kinnear be permitted to receive visitors in their own rooms from nine o'clock in the morning till sun-set, until further orders. Ordered, that the said Mr. Hunt and Mr. Kinnear, shall have permission to walk in the factory yard at all such times as shall be deemed proper by the keeper, excepting the hours of labour. Ordered, that Mr. Hunt and Mr. Kinnear

Kinnear be allowed to dine at the keeper's table when convenient to him, the time of the meal being limited to one hour. Also ordered, that a board floor be made for their sitting-room, and that their complaint in regard to the chimnies be remedied as far as possible, also that doors be made for their apartments, bells of communication put up, and alterations to the staircase as shall be considered proper by the keeper.

By order, *Edw. Coles*, Clerk of the Peace.

July 15th, 1820.—Ordered Thomas Gardner to be released from solitary confinement, on promise of good conduct in future. *A. Moody.*

August 5th, 1820.—In consequence of a minute in the Occurrence Book, made by the governor against the taskmaster, for leaving the gaol without leave, we have investigated the matter, and cautioned the taskmaster against a repetition of his conduct; and upon his promise of obedience, the governor has consented to forgive the offence.

Ordered, William Cary to be immediately punished with twenty lashes, for repeated acts of disobedience and unruly conduct. Ordered, two other boys Bampfylde and Wheeler, to be liberated from the stocks, and no severer punishment to be inflicted on their promise of good behaviour. *A. Moody.* *W. H. Colston.*

Aug. 12, 1820.—Received a note from Mr. Hunt stating, that he has not been permitted to receive any wine or table-beer when he has had his friends at dinner, six in number, and considering that it was the intention of the justices to deal liberally with Mr. Hunt as well as Mr. Kinnear, I venture to order that Mr. Hunt may be allowed to have at the rate of a bottle of wine for every two days, and the quantity of three pints of table-beer per day. With regard to persons with Mr. Hunt being required to leave the prison during the time of divine service, I do not think that the indulgence granted on the 6th day of July, being the gaol sessions, warrants such restriction. Ordered a trivet to be made for Mr. Hunt's room, to be 14 or 15 inches by ten, and a bell to be hung for the purpose of calling his servant.

A. Moody.

Copy of order received from the undersheriff at Wells, on Sunday the 19th inst.

Wells Assizes, August 14th, 1820.—It appearing that inconveniences have arisen in consequence of certain orders, rules and regulations, which were made by the visiting and other justices assembled at the gaol at Ilchester, on Thursday, the 6th day of July last. It is now ordered, that such orders, rules or regulations (excepting such parts thereof as relate to the improvements of the wards in which Henry Hunt and John Kinnear are confined, as also to the permission granted to them to walk in the manufactory yard, and to their employment of two prisoners as servants) be rescinded, and that in future no female visitors, except the wives and children of the said Henry Hunt and John Kinnear, be admitted into their private rooms, and that male visitors be therein admitted only between the hours of nine till twelve o'clock in the forenoon, and three to four o'clock in the afternoon; and it is further ordered, that the keeper of the said gaol do not permit any prisoners to board or lodge in his house.

(Signed) *A. Elton.*, *W. H. Colston.*, *A. Moody.*, *J. Phelips.*, *H. Hippisley.*, *Francis Drake.*, *Rich. T. Combe.*, *Jno. Thring.*, *Tho. Coney.*, *J. G. D. Thring.*, *J. S. Horner.*, } Visiting justices to the said gaol. *Wm. Hanning.*, *L. St. Aubin.*, *J. Wiltshire.*, *Vincent Stuckey.*, *Geo. Edw. Allen.*, *Wm. Clarke.*, *H. Hippisley.*, *M. S. Phillott.*, *R. T. Whalley.*, *Wm. Melliar*, Undersheriff.

24th Aug. 1820.—Ordered, that Mr. Hunt and Mr. Kinnear shall be at liberty to see any friend they may think proper for one hour at any time of the day between the hours of nine in the forenoon, and four in the afternoon, except the three hours that are set apart for the debtors to see their friends in the debtors conversation room.

A. Moody. *W. H. Colston.*

Sept. 13th, 1820.—Ordered some addition to be made in Mr. Hunt's court to his present scullery, so as to admit of washing dishes, as well as keeping them and also cold meat, and a larger grate in his cooking rooms. *A. Moody.*

Sept. 13th, 1820.—Ordered William Withers out of stocks, on his promise of good behaviour. *A. Moody.*

Sept. 23d, 1820.—The above order relating to some addition to be made to the scullery and cooking rooms in Mr. Hunt's ward not being begun, I have this day explained the alterations to Hobbs, and desired him immediately to set about the work; and also to add a covered porch at the door of Mr. Hunt's ward, to prevent the water beating into the passage, with a door stone to be added, and the ward to be pitched. There appearing to be some misunderstanding as to persons being admitted to see Mr. Hunt and Mr. Kinnear, it is understood that all persons coming to them with provisions or other necessaries, are to have immediate access, accompanied by a turnkey or other officer. *A. Moody.*

Oct. 2d, 1820.—Ordered two boys, Harris and Marshman, out of solitary confinement, on promise of future good conduct; and also Bampfylde from the stocks, and to have his future earnings on a like promise. *A. Moody.*

Ilchester Gaol, Oct. 12th, 1820.—Present, William Dickinson, Henry Hobhouse, William Hanning, John Quantock, Thomas Poole, John Thring, Vincent Stuckey, Aaron Moody, esqrs. William Hungerford Colston, D. D. and Richard Thomas Whalley, clerk, Edmund Broderip, undersheriff, and Edward Coles, clerk of the peace.—The visiting justices having laid before this meeting a letter from Mr. Clive, under secretary of state, transmitting to them, by Lord Sidmouth's directions, a letter from Mr. Henry Hunt, dated the 19th ultimo, addressed to Mr. justice Bailey; and Mr. Hunt having been called in and asked, whether he had any thing to say in explanation of this letter, or any other complaint to make, he answered, that if the magistrates were in possession of his letter, they were acquainted with all he had to say, and that he wished to be placed in the same situation as he was in by the order made at this place on the 6th of July last; and complained of the subsequent order made at Wells, on the 14th of August last. Ordered, that copies of all the orders relative to Mr. Henry Hunt and Mr. John Kinnear be extracted, and, together with the said letter from Mr. Clive, and its enclosure, be laid before the court of quarter sessions, on Monday next. Ordered, that John Wheeler be released from solitary confinement, on promising future good conduct. The like order in respect of Philip Gould. That Thomas Gardiner and William White be restored to their earnings, released from their clogs and solitary confinement. By order, *Edward Coles,* Clerk of the Peace.

Oct. 16th, 1820.—Taunton Sessions Order.—Ordered, that no female visitors, except as aforesaid (wives and children), be admitted to the said Henry Hunt and John Kinnear, but at the usual hours, in the debtors visiting room at the said gaol, unless upon some urgent occasion, allowed by and stated in an order first obtained for that purpose from one of the visiting justices of the said gaol, or the sheriff of the said county of Somerset.

By the Court, *Coles,* Clerk of the Peace.

Oct. 28th, 1820.—Mr. Hunt applied to us for our interpretation of the order of sessions, made at Taunton on the 16th instant, relating to the non-admission of females, unless upon some urgent occasion; and we were of opinion, that this order left no discretion to us with regard to the unrestricted admission of females, except the wives and children of Mr. Hunt and Mr. Kinnear. *John Goodford. John Quantock. R. T. Whalley.*

Dec. 7, 1820.—A complaint having been made to us by Mr. Hunt, that the turnkey Pike, had behaved with great cruelty and rudeness in refusing leave to the servant maid of his (Mr. Hunt's) daughter, to bring his daughter's child to his ward; and having also charged Pike with shewing him (Hunt) for money, to strangers that were going round the gaol. We have made inquiry respecting these complaints, and believe them to be perfectly unfounded, except as to the refusal of Pike to admit the servant, in which we consider that he was properly performing his duty under the last order of sessions; but we have authorized the officers of the gaol, if a similar case should occur, to permit the servant to carry the child as far as the door of Mr. Hunt's ward, but no further.

R. T. Whalley. John Quantock.

Dec. 7, 1820.—James Gardner, James Helliar, Walter Wives, John Hawkins, Joseph Ellison, Charles Bampfylde, William Withers, Thomas Gardner, James Stone, having had their earnings stopped for misbehaviour, but having now promised to behave well, we have ordered that they shall receive them again. *R. T. Whalley. John Quantock.*

Ilchester Gaol, Dec. 15th, 1820.—Mr. Hunt is to be allowed to receive the visits of his female as well as male friends, from nine in the morning till four in the afternoon, in his private room. *Charles Warwick Bampfylde,* High Sheriff.

Feb. 13th, 1821.—Ordered that James Hilliar, at present in solitary confinement for misconduct, be not liberated until he manifests a disposition to reform his conduct.

W. H. Colston. J. Thring. J. G. D. Thring.

Feb. 13th, 1821.—Hester Churches, confined for debt, having appeared before the visiting magistrates, states, that she was brought to the gaol on the 27th of January; at that time there was but one spare ward, and that had but one cell in it, which was shewn to her, and she preferred it to the ward occupied by the female prisoners in general. She has no complaint whatever to make against either the governor of the gaol or his officers. The turnkeys have uniformly conducted themselves with the greatest propriety and civility; and she has no wish that a female turnkey should be substituted for the male one, who is in the habit of opening and locking up her cell door every morning and evening. That the matron and female servants of the gaol have access to her whenever she has occasion for them.

W. H. Colston,
Jn. Thring,
J. D. G. Thring,
} Visiting Justices.

H. Churchus.

Feb. 13th, 1821.—Ordered, that the order made at the general quarter sessions held at Taunton, on the 16th day of October last, respecting the admission of female visitors to Henry Hunt and John Kinnear be enforced by the governor on and after the 20th of February instant. *W. H. Colston. Jno. Thring. J. G. D. Thring.*

Feb. 13th, 1821.—Ordered, that the earnings of Elizabeth Smith, Sarah Bampfylde, and Ann Trask, be suspended till further orders. *Jno. Thring, W. H. Colston.*

March 5th, 1821.—Ordered wages to be allowed to James Gardner, and also to James Helliar. *W. H. Colston.*

March 12th, 1821.—Visited the debtors wards, and particularly enquired of Charles Hill, in the presence of his fellow debtors, if he had any complaint to make. He replied, that he had not. *W. H. Colston. J. G. D. Thring.*

March 12th, 1821.—The governor having submitted certain letters to our inspection, which have been verified to be in the hand-writing of William Pitcher, by the oath of Edward Shepherd, debtor in this gaol, and which convince us that it is highly probable that the said William Pitcher is in the habit of obtaining access to the gaol, with mischievous intentions. Ordered, that in future he be not permitted to visit any prisoner, unless in the presence of the governor, or one of his officers. The above order is also to be enforced with respect to Matthew Hobbs and his wife, late servants in this gaol. Visited Henry Hunt's ward, and at his request tasted the water of the new well, which we found to be very good; he admitted that his accommodation, as to a supply of water, had now been consulted in the best possible way, and that he has always had recourse to the governor's pump for as much water as he required. Visited the debtors wards, and particularly enquired of Charles Hill, in the presence of his fellow debtors, if he had any complaint to make. He replied, that he had not. Saw Miss Churchus, who said that she was perfectly satisfied with her present apartment; that she had never discovered it to be damp; that her health had been uniformly good; and that she remained in it by choice, in preference to being placed with any other females; and that she was, on the whole, as comfortable as she could reasonably expect to be under her present circumstances. *W. H. Colston. J. G. D. Thring.*

April 26th, 1821.—Present, Rev. Dr. Colston, Rev. J. G. D. Thring, and Aaron Moody, esq.—Robert Kiddle agrees to supply the prison with bread, from the 6th day of May next, to the 15th day of July, at the price of 12*s.* per hundred weight; the bread to be standard wheaten, in loaves of 3lb. each, of a fair and marketable quality, and to be delivered every other day according to the usage of the prison; that in case any complaint should be made during the contract, the visiting justices shall be at liberty to procure bread from any other baker upon the best terms they can, and to charge the excess of price (if any) to the said Robert Kiddle, to be deducted out of the bill at the end of the contract.
Robert Kiddle.

May 24th, 1821.—Pike, the turnkey, having shewn to me on Sunday last a note to him from Charles Hill, a debtor, of which the following is a copy, "Mr. Pike, being informed "that a friend of mine, on Friday last, leaved with you a gallon of cider for me, I there-"fore request that you will this day send me one quart a day, until the whole is sent. Your "refusal will oblige me to make my complaint in a higher quarter. I am, sir, your obedi-"ent servant, Charles Hill. P. S. If you are not the proper officer to address on this "occasion, you will communicate this to whom it may concern. Lower ward, May 20th, "1821." And Pike having applied to me for directions on the subject, I told him I could not take upon me to alter the established regulations of the gaol, which forbids the introduction of liquor into the lower debtors ward; and I stated the same thing the next day to Hill himself, having visited the gaol for that purpose. *R. T. Whalley.*

May 24th, 1821.—It is ordered, that all the wards in this gaol be supplied with water from the river twice a day, if the prisoners in such ward shall require it, until other means for supplying river water be had recourse to, and that the debtors may send, by their wives or any messenger, for water and milk between nine o'clock in the morning and seven in the afternoon, till further orders. *Wm. Hanning*, Sheriff.
John Newman,
R. T. Whalley, } Visiting Justices.

June 5th, 1821.—The poor debtors and others, having complained that the bread of this day was not good, I have, with other magistrates, inspected the same, and found it of a fit quality to be delivered. Visited every ward in the gaol; found all well and clean.
John Newman.

June 26th, 1821.—Visited the gaol, and found it in good order. All persons committed to this prison, charged with an unnatural offence, are on no account to sleep in the same cells with other prisoners. *John Newman*

(DD.)

Extracts from the Occurence Book of Ilchester Gaol.

Sept. 7th, 1815.—The boy, Smith, charges Francis O'Brien with indecent behaviour towards him; in consequence of which the boys, as per margin, are removed to the boys ward, the same being very lately become occupied.

Six boys.

Oct. 25th, 1816.—On questioning Fudge as to the impropriety of his conduct last evening, I received for answer, that he would not be put on, and that he would always take his own part; on which I immediately ordered him into body irons, and in close confinement.

Oct. 26th, 1816.—A. Moody, esquire, visited and inspected.

N. B. No mention made respecting Fudge being in body irons.

Dec. 8th, 1816.—The gaol is alarmed in the felons ward, about an hour after locking up, and on arriving at the place from whence the alarm was given, Richard Halkins, a prisoner for horse stealing, was found nearly strangled, having tied himself up by the neck to the window of his cell. I put him in his bed, and placed two other prisoners in his cell, which contained two bedsteads.

Dec. 9th, 1816.—A Moody, esquire, visited and inspected the gaol, &c. I inquired as to Halkins's conduct yesterday before he went to bed (see yesterday,) and was informed that he eat his loaf at one meal, saying, he should want no more bread; that on coming out of the chapel he should say, with an oath, he should go there no more, to be kept so long, &c. He has this day declared he would cut his throat, if he could lay hold of a knife, or that he would hang himself; in consequence of which I have ordered body irons on him by day, and that he be put in a straight waistcoat by night. This, however, was no sooner put on him, than he burst and tore it to pieces, when it was necessary to secure him in handcuffs.

Dec. 25th, 1816.—I brought Halkins before the chaplain, who admonished him as to his future conduct, &c. (see 8th inst.); and on promising that he would conduct himself well in future, and would not make any further attempt on his life, I ordered the body irons to be discontinued. (See 9th inst.).

March 7th, 1817.—Halkins having removed a knife from the felons ward, and concealed the same, which he refuses to discover, is continued in his cell. (See Dec. 25.)

March 9th, 1817.—Halkins having discovered the lost knife, is released from his cell (See 7th inst.).

March 29th, 1817.—At six o'clock, P.M. when surgeon applied a blister to Richard Halkins, he would not allow it to remain. Put him in body irons, in order that the blister may have its proper effect. Governor absent the day on service to sheriff's office. (N.B. The last passage Mr. Bridle's writing.)

Oct. 5th, 1817.—To Mr. Bridle, Governor of the County Gaol, Ilchester.

Sir, Bath, Sept. 30th, 1817.

I enclose you a letter, which I received yesterday, from Mr. Shorland, of Ilchester, and I send it to you, that you may lay it before any of the visiting magistrates that may be at your gaol prior to the ensuing Sunday, to take his or their opinion upon the propriety of dispensing with further divine service in the chapel of the gaol for the present; at least whilst the fever appears upon any prisoner within its walls. In case no visiting magistrate should attend at the gaol previous to the ensuing Sunday, I hereby enjoin you to dispense with the service, and further, until you shall receive directions to the contrary. I am, &c.

J. Acland.

If you act upon this letter of mine, enter it in your journal with Mr. Shorland's.

Copy of Mr. Shorland's letter.

Sir, Ilchester, Sept. 28th, 1817.

Being from motives of humanity that I am induced to address you, I trust you will pardon the liberty. I have been called on to attend a man in the gaol labouring under typhus fever; it has occurred to me that the most powerful agent in causing the disease to be still lurking about the place, has its origin in the chapel, where two hundred people are assembled during divine service, and no mode of ventilation, the air must soon become contaminated, from such a number being confined in a small apartment. Should this observation be thought worthy of notice, the intentions of your humble servant will be highly gratified.

John Acland, esquire, Crescent, Bath. I am, sir, your most obedient humble servant, *Wm. Shorland.*

Oct. 11th, 1817.—Elizabeth Summers, Sarah Hancock, Hannah Williams, Martha Allen, Elizabeth Chamberlain, Susannah Chamberlain, Sarah Hewitt, Elizabeth Wilkins, Hester Sheen, Maria Spragg, Hannah Sampson, Charlotte Clash, and Peggy Hickman, having cut and altered the caps given them as part of the dress provided for their use, thereby destroying the uniformity of the gaol, &c.; these caps I ordered to be destroyed, and that new caps be provided at their own expense. I found their hair very long, and in a very indecent manner. I superintended the cutting of their hair, and provided them with a fresh supply of caps, until others are procured for them at their own expense, until which time no portion of their earnings are allowed them. Peggy Hickman having absented herself from the laundry without leave, is placed in solitary confinement for the remainder of the day, and her earnings for the present week to be forfeited.

Oct. 31st, 1817.—James Ford, a prisoner, committed for trial at the next sessions, for a felony, died in the gaol at eight, A.M. The coroner, Mr. Caines, and surgeon, attended at three in the afternoon, and held an inquest on the body; the verdict of which was, that he died by the visitation of God. The body is removed for interment to Ilchester church yard, at five P. M.

July 1st, 1818.—Received a very liberal supply of meat, &c. from William Dickinson and W. Gore Langton, esquires, (who were yesterday elected to represent the county of Somerset in Parliament,) as a treat for all the prisoners in the gaol, which is distributed to the wards in proportion to their respective numbers. To this supply of meat, &c. the high sheriff added £. 10.; which, under the direction of the under sheriff, was to procure beer, pipes and tobacco, &c. The labour was continued till two P. M. and then closed for the day. The debtors were respectively supplied with three pints of beer each; the other prisoners

(men)

(men) three half-pints. Boys and females a pint each, adding to the females allowance a supply of tea and sugar in the evening. The day was spent with uninterrupted harmony and good fellowship, and all hands retired thankful to the donors, and grateful for the attention shewn them.

October 28th, 1818.—Sarah Tout and Elizabeth Wilkins having the care of the female wards, and having each neglected to keep their respective wards clean, I have ordered that their portions of earnings be suspended till further orders.

November 14th, 1818.—Put Charlotte Scott into solitary confinement for being disorderly.

November 16th, 1818. John Phelips, esq. visited and inspected the gaol, and released Charlotte Scott from her solitary confinement, on promise of future good behaviour.

November 19th, 1818.—Put Elizabeth Smith and Mary Cure into solitary confinement, being disorderly and fighting in their ward.

November 22d, 1818.—Released Elizabeth Smith and Mary Cure from their solitary confinement on promise of future good behaviour.

December 3d, 1818.—Tout, Wilkins, Bailey and Merchant to receive their usual earnings on promise of being more orderly and attentive in future.

March 26th, 1819.—Sarah Hewit is delivered of a female infant child at 4 A.M.

July 8th, 1819.—A special sessions is this day holden at the gaol, for the purpose of examining the quarterly accounts, contracting for bread for the ensuing quarter, &c. &c.

July 9th, 1819.—Put Jeremiah Hodge in solitary confinement for making use of very improper language in the time men's ward, saying he should not ask the justices nor the governor, if the men were all of his mind, &c.

Aug. 18th, 1819.—Rev. Mr. Ebry attended, and baptized Jane, the daughter of Jane Long; Mary Ann, the daughter of Sarah Hewitt; and George, the son of Sarah Lawrence.

Dec. 4th, 1819.—Put Elizabeth Wilkins and Sarah Blewett, into solitary confinement, for disturbing the peace of the ward, by falsely asserting a robbery to have been committed on their property, which on inquiry proves to have been a trick of barter between themselves.

Dec. 13th, 1819.—Elizabeth Wilkins and Sarah Blewett, released from solitary confinement, on their promising to be more orderly in future. (See 4th instant.)

March 17th, 1820.—Put Thomas Gardner, James Gardner, Hugh M'Geddy. and William Hartwell, into solitary confinement, for disorderly practices in the felons ward.

March 20th, 1820.—Released Hugh M'Geddy and William Hartwell, from their solitary confinement, on promise of amendment.

March 23d, 1820.—Released Thomas Gardner and James Gardner, from their solitary confinement, on promise of amendment.

April 13th, 1820.—Put George Palmer and Thomas Gardner in handcuffs, for fighting.

April 16th, 1820.—Released Palmer and Gardner of their handcuffs, on promise of conducting themselves more orderly in future.

On the 6th instant, a committee of magistrates visited the gaol, and the following is an extract from their minutes of that day. "Parts of the prison, upon an inspection, appearing "to be in a disordered and an unclean state, the governor was remonstrated with on account "thereof, and who, during his absence to the assizes, imputing neglect to the taskmaster, "he the taskmaster was admonished accordingly, and the governor was particularly cau- "tioned to guard against a recurrence of a like nature, the health of the prisoners so much "depending upon cleanliness." On the 7th instant, I assembled the different officers of the gaol, and read to them the foregoing. On the evening of the 9th, I left this place to attend the quarter sessions, where I considered it probable the subject of this minute would be brought before the magistrates assembled, particularly as the committee, after instructing the clerk of the peace, to draw up and insert it in their book, left the gaol without affording an opportunity of further investigation; and placing the particulars of such further inquiry on record, or leaving any special order or instructions to prevent such occurrences in future. Thus situated, I acted on my own responsibility, and proceeded to examine the taskmaster, whose answers purport that he accompanied the magistrates in their inspection of the gaol, on the 6th instant. That in the female infirmary, occupied by some women debtors, a female invalid and a child, the magistrates observed, that the apartment was not so clean, and that the beds and bed clothing were not rolled up as they ought to be; and desired that in future, this might be obviated; that in consequence of the observations of the magistrates, the women had been ordered to roll up their beds, and be particular in cleaning their apartments; that he stated to the magistrates, that white washing was then in progress in other parts of the gaol, and the whole of it would soon undergo this operation. That in the ward occupied by prisoners for misdemeanors, a pair of breeches lay on one of the beds, and the magistrates remarked this to be disorderly. That the prisoners are not permitted to have boxes or trunks in their apartments; and that hitherto their bed has been considered the proper place for them to lay their spare garments, when they have any, and that he waits orders how to remedy this. That in a cell adjoining the time men's ward, the magistrates complained of the bed clothes: of a bed not being rolled up and put in order; that this apartment was occupied by a prisoner who had only been brought into gaol the preceding night. That the turnkey Pike, whose duty it was to look after this part of the gaol, was absent in accompanying prisoners from the assizes. I have also examined the turnkey Pike, who reports to me that he was absent all the day of the 6th instant, by my orders, to accompany prisoners from the assizes. That the apartment complained of by the magistrates, as not in good order, was a cell occasionally used as a receiving ward, in which he had placed a

prisoner received the preceding night; and that his absence on duty on the day of the 6th, prevented him enforcing the regulations for order and cleanliness. I have also judged it right to examine the matron, who has charge of the female wards, and who reports, that one of the women in the ward alluded to, is in a very weak and infirm state of health; and another has a child, therefore in the course of the day both are obliged occasionally to rest on their beds, and thus the bed clothes cannot always be so very orderly. That it never has been the custom in the gaol, for the women to roll up their bed and bed clothes as the male prisoners do; nor could the wish expressed by the magistrates about this, be at all times attended to with propriety and decency; considering this subject of great importance, the minute in question being the first and only instance on record, of a complaint by the magistrates, of any uncleanness or irregularity in the gaol, for the long period of the last twelve years; I do take upon myself to order, until such time as the magistrates themselves meet and make their own order, that the turnkeys at the front lodge and debtors wards, do visit and inspect the wards, and every apartment appertaining thereto under their respective charge, once at least every day, and more frequently if required, enforcing at all times, and on all occasions, order and cleanliness; and that when any thing appears to the contrary, that they immediately report the same to me, or in my absence, to the taskmaster. That as the cause of the present complaint arose in my absence, it shall be the duty of the taskmaster, whenever I am again from home, and so long as I remain from home, to visit every part of the gaol once at least every day, to see the foregoing order is strictly complied with, and he shall report the result of this visit daily in this book, and be considered henceforth responsible for this duty. That believing the instructions of the magistrates, for the women to roll up their beds and bed clothes to arise from misconception of that matter, I have ordered that the same regulations be followed in that respect as heretofore, until their pleasure be further known. That, to avoid any further complaint, the turnkey at the front lodge and of the debtors ward shall, on no pretence whatever, be asbent from the gaol from the time of opening it in the morning until it is again locked up and secured; and that the taskmaster shall not be absent from the gaol during the hours of labour, except on any particular or special occasion, and then only with leave. That the extra turnkey, Davis, having no place of residence or lodge in the gaol, and therefore being obliged to lodge in the town, is necessarily exempt from this order and regulation; but he is hereby ordered never to leave the gaol during the day, except at meal-times, or on business connected with the service; and he is further ordered to assist the taskmaster, when the duties of the gaol require his attendance elsewhere than with the prisoners at their labour; and to assist the other turnkeys at the times when they are required to survey the different departments under their charge; and he is further desired to transact, for the other officers respectively, any business they may have to do out of the gaol, so as to give no occasion for the absence, at any time, of either of them.

July 1st, 1820.—Put Thomas Gardner also into solitary confinement, for wilfully cutting and stabbing Zebedy Beacham with a knife.

July 4th, 1820.—Received Ann Denman at six, for four months to hard labour.

July 9th, 1820.—Put Jeremiah Hodge into solitary confinement, for making use of very improper language in the time men's ward, saying, he should not ask the justices nor the governor if the men were all of his mind, &c. The following magistrates met at the gaol, as a committee appointed to revise the rules, &c.; viz. Sir J. P. Acland, baronet; A. Moody, T. Poole and J. Thring, esquires; I brought Hodge before them, and he was ordered to be continued.

July 12th, 1820.—Released Jeremiah Hodge from solitary confinement and set him to work, per order of the governor. (See 9th inst.)

July 15th, 1820.—A. Moody, esquire, visited, and released Thomas Gardner, from his solitary confinement, on promise of future good behaviour.

July 24th, 1820.—On going out in the afternoon to inspect the labour in the river, I observed the taskmaster coming from the town of Ilchester; I enquired of him who was taking care of the prisoners at labour in the gaol? and he answered, nobody. There was at this time twenty-two prisoners at work without the walls of the gaol, with a turnkey and one supernumerary officer or assistant to superintend them. Within the walls, and in the manufactory, about sixty others were employed, but without any person whatever to superintend them in their labour, or to have the immediate custody of them. I reminded the taskmaster of the order of the 16th of April last, in this book, which order never would have been made but for his neglect, and is to the following effect; "That the taskmaster "shall not be absent from the gaol, during the hours of labour, except on particular or "special occasions, and then only with leave." To this he made an impertinent reply, without appearing to have any care for the custody of the prisoners at labour, of the manner in which they conducted themselves there, or of the quantity of work they performed. This may in some measure account for the frequent depredations committed by the prisoners in their said labour, and of their disorderly conduct there. The better therefore to bring this officer to a sense of his duty, I have informed him, that on a repetition of this or similar conduct, that I shall immediately suspend him; and that in the mean time I make this minute here, that he may have the benefit of the visiting magistrates advice.

September 19th, 1820.—Put Thomas Gardner in handcuffs and solitary confinement, for being riotous and striking William Withers in the time ward.

Sept. 26th, 1820.—Put John Wheeler in handcuffs and solitary confinement, for impertinently answering the turnkey (who was giving him good advice), that he did not care for being locked up, or being reported to the governor, &c. that he knew who broke Ingram's saucepan, but would not tell.

Oct. 2d, 1820.—A. Moody, esq. visited and ordered, &c.—*And that Wheeler be continued.* [N. B.—The words in italics are, in the original, interlined.]

Oct. 5th, 1820.—Put a clog on Gardner and White, and ordered their earnings to be suspended till further orders for neglecting their work and being impertinent.

Oct. 7th, 1820.—Released Wheeler from handcuffs, and continued him in his cell.

N. B.—No entry appears of his having been kept with his hands behind him.

Oct. 12, 1820.—John Wheeler, Philip Gould, William White and Thomas Gardner are released from their solitary confinement, and all other incumbrances and restrictions, on promise of amendment.

Oct. 24th, 1820.—Discharged Ann Denman, her sentence being expired.

N. B.—The above is the last entry in the day, and seems to have been, by interlineation, inserted at a period subsequent to that on which the other entry of the day was made.

Nov. 3d, 1820.—Put Joseph Smith, Philip Gould, John Wheeler and Charles Bampfylde (boys) into solitary confinement, for riotous and disorderly behaviour in their cells.

N. B.—The word *boys* an interlineation.

Nov. 4th, 1820.—Thomas Gardner's earnings to be suspended until further orders, for picking the pocket of John Whitcombe of a purse, containing 2*s.* 9*d.* which was found concealed under some stones.

Nov. 9th, 1820.—Thomas Gardner, whose earnings were on Saturday last ordered to be suspended for picking the pocket of his fellow prisoner, having since that time been very idle and indifferent in his work, and refusing to take any notice of the advice offered him from time to time, has this day given up working altogether, under a plea of being ill and unable to work; being perfectly convinced that this was an excuse meant to impose on the service, and defeat the object of the order alluded to, I put him immediately into solitary confinement.

Nov. 20th, 1820.—Thomas Gardner at the same time applies to be restored; but it being reported by the surgeon that his illness was feigned, (see 4th and 9th inst.), and by the turnkey Davis, that his conduct to him yesterday was very impertinent, that he then told him he was not tired, that he was comfortable, &c. in consequence of which I ordered him to be continued. The constable of the ward in passing with him to the cell (before the turnkey), advised him to behave better; to which he replied, be d——d if he would ask pardon of any of them justices, nor none of them; he would see them all d——d first.

Nov. 21st, 1820.—Removed Jane Trask at her own request from the boys ward which she was occupying alone, to the female ward, she (Trask) being a debtor and preferring the company of the other females to solitude.

Dec. 5th, 1820.—Thomas Gardner having promised to conduct himself more orderly in future, is released from solitary confinement, his earnings however to continue suspended till further orders.

Dec. 7th, 1820.—The Rev. R. T. Whalley, and John Quantock, esq. visited and inspected the gaol, and ordered that Thomas Gardner (see 4th inst.), &c. be restored to their usual portions of earnings on future labour.

Dec. 15th, 1820.—The high sheriff visited at 2 P.M. and made the following order in the Magistrates Journal (see order in Magistrates Journal, Dec. 15th, 1820,) observing that he did not wish to be put into the office, but during his being in the office, no person should take from him any of his power, that if the order he had made did not set it right, he would come again. This order being contrary and in opposition to certain orders made by the magistrates, and acted upon as to the admission of visitors to Mr. Hunt, I waited on the visiting magistrate, R. T. Whalley, to report what had taken place, and to take his opinion as to the line of conduct I ought to adopt respecting this order until the return of the governor; his opinion is, that the order of the sheriff must be obeyed, and I have ordered accordingly.

Dec. 30th, 1820.—Charles Godwin Davis, a debtor, is taken very ill at 3 A.M. I sent to the town for a surgeon, and Mr. Robertson attended. Sent a messenger also to Mr. Boyer, the gaol surgeon, at Somerton, and Mr. Valentine (his partner) attended. The sick man appearing fast approaching to a dissolution, Mr. Robertson is sent for again in the evening, and attends accordingly.

Dec. 31st, 1820.—Charles Godwin Davis died in the debtors ward this morning at one o'clock. (See yesterday.)

Jan. 1st, 1821.—Mr. Caines, one of the coroners of the county attended, and held an inquest on the body of Charles Godwin Davis, who died yesterday morning in the debtors ward; Mr. Valentine, the surgeon, attended the inquest, who returned a verdict that he died by the visitation of God.

Jan. 27th, 1821.—Received Hester Churchus, a debtor, at 2 P.M. there being but one spare ward in the gaol, and that intended for solitary confinement with one cell only in it, and no ward occupied by female debtors, I put this person in that solitary cell, she having preferred it to that of mixing with female prisoners charged with offences; (this person is of the Society of Friends.) [N.B.—The last passage is an interlineation.]

Feb. 6th, 1821.—Edmund Treble is taken very ill in the debtors ward; a messenger is sent to the town for a surgeon, and Mr. Robertson attends him.

Feb. 12th, 1821.—The constable of the time men's ward, complains of James Hilliar, James Johnson, and James Gardner's making a disturbance in the ward in gambling. Home made dice are produced in support of the charge; I ordered that their earnings be suspended till further orders. On the return of these men from labour to their dinners, Hilliar began swearing at the constable for giving information against them, giving him at the same time some violent blows on the head. I put irons and handcuffs on him, and placed him in solitary confinement.

Feb. 13th, 1821.—The Rev. Dr. Colston, Jno. Thring, esq. and the Rev. J. G. D. Thring, visited and inspected the gaol.

Feb. 21st, 1821.—Released James Hilliar from solitary confinement and handcuffs, and set him to his usual labour in irons, with his earnings suspended till further orders.

Feb. 21st, 1821.—Edmund Treble being again very unwell, I sent to the town for a surgeon, and Mr. Robertson attended him.

Feb. 22d, 1821.—Turnkey of the debtors ward reports, that Edmund Treble died this morning at five o'clock in the debtors ward.

Feb. 22d, 1821.—Hester Churchus complaining of being insulted by some person confined in the adjoining ward (Hunt's ward) by their peeping through the key-hole of a passage door, and talking improperly to her; Hester Churchus is a debtor, and of the Society of Friends; I attended, and heard her complaint, but as she could not affirm who the offender was, I could only admonish those in the ward, and prevent their power of peeping through the key-hole, by affixing an escutcheon over it.

March 5th, 1821.—James Hilliar to be restored, on similar promises, to future earnings on promise to conduct himself more orderly in future.

April 7th, 1821.—The Rev. Dr. Colston visited and investigated the case of Childs and Raynes, two quarrelsome debtors; after hearing both parties they were dismissed with a suitable reprimand.

April 12th, 1821.—A pamphlet having been published by T. Dolby, in the Strand, London, called "A peep into a Prison, or the inside of Ilchester Bastile," such book being taken to be the production of Henry Hunt, a prisoner in this gaol for a misdemeanor, containing many charges and allegations against the establishment of the said gaol, on the subject of which, I have received a letter from the high sheriff, of which the following is a copy:—

"Sir, Dillington, April 10th, 1821.

"To render equal justice to you and the county, each being now accused by Mr. Hunt of abuses of the gaol, I have thought it right to write to Mr. Hunt, stating, that I should give an order for any prisoners within your custody, not exceeding two at one time, to be permitted to be examined by him, either in his room, or the visiting room, as to the charges he has alleged, and this attention to his request in writing, I request may be attended to. I am, Sir, your obliged,

"*William Hanning.*"

In compliance with the order contained in the foregoing letter, I have sent as requested by Mr. Hunt, Charles Hill and Nicholas Collard, debtors, to visit him in his room.

May 18th, 1821.—Henry Hunt having permission to examine the Books relative to the gaol, he examined them in the presence of the taskmaster, as ordered by the high sheriff.

(EE.)

EVIDENCE delivered before the Commissioners.

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Trayt, John	June 12.	215
Treasure, John	May 30.	97
Treganza, John	June 25.	322
Underwood, George Allen	June 18.	242
D°	June 23.	311
Valentine, Rev. John	June 14.	221
D°	June 23.	317
Valentine, John	June 28.	363
Waistcoat, John	June 22	304
Walbridge, William	May 25.	64
Warren, Henry	June 12.	209
Webb, William	May 25.	64
Webber, Martin	June 18.	253
Wells, William	June 6.	161
Wellington, George	June 23.	313
West, James	June 9.	185
Whalley, Rev. Richard Thomas	D°.	ibid.
D°.	June 11.	199
Wheeler, John	May 29.	91
Whitcomb, Esau	May 30.	98
Whitcomb, John	June 9.	193
Wilkins, Elizabeth	May 25.	63
D°	June 13.	216
Williams, Charles Frederick	June 13.	217
Woodforde, Doctor James	June 18.	242
D°	D°.	248
D°	June 25.	319
Wyatt, John	June 26.	332

FRIDAY, 25th MAY 1821.

Mr. *William Bridle* called in; and Sworn.

Mr. W. Bridle. (25 May.)

ARE you the keeper of this gaol?—I am.

How long have you been so?—Since the 19th of July 1808.

In what situation were you before you were appointed keeper?—I was chief mate of the Retribution convict hulk at Woolwich; I had been on board that ship six years; I entered it as second mate. The late Mr. Graham promised me a ship if I would continue in that service.

Have you any rules or regulations by which this gaol is governed?—I have no other than those which are hung up in the prison, affixed to boards, a copy of which I now give in; but there are particular orders entered in the Magistrates Journal for my guidance upon special occasions.

Are there any books or journals applicable to the purposes of the prison, kept here?—There are.

Enumerate them.—1st, The Felons Book; 2d, A General Register, in classes; 3d, The Debtors Book; 4th, A Daily Occurrence Book; 5th, A Book, shewing the daily statements; 6th, The Magistrates Journal; 7th, The Work Book; 8th, The Account of Trades and Manufactures; 9th, A Description Book; 10th, The Bread Book; 11th, Surgeon's Day Book; 12th, The Surgeon's Journal; 13th, The Visitors Book; and, N° 14, The Charity Book. The chaplain never has kept any book. The turnkeys wives (acting as messengers) have a Shop Book and a Beer Book, shewing the articles purchased for debtors. N°s 7 and 8 are kept by the taskmasters.

Can you at present produce to us all these books that you have enumerated?—I can, with the exception of the Magistrates Journal and the Daily Occurrence Book.

What prevents you, at the present moment, from producing those books?—They are now before a committee of the sheriff and magistrates assembled at Ilchester.

Do you, of your own personal knowledge, know the purpose for which that Committee is assembled?—I do; it is for the purpose of enquiring into alleged abuses in the gaol.

Have you been repeatedly before them?—I have.

How long have they been sitting?—I believe since the 19th of April, with two adjournments.

With the exception of those adjournments, have they sat from day to day?—They have, with an interruption of two other days, one being Good Friday.

Do you know the length of each adjournment?—The last was a week; the other, I believe, ten days.

Did they re-assemble, on each occasion, according to the adjournments?—They did.

Do you know whether they have come to any final determination?—I heard it declared by the sheriff, as chairman, that they would make a report to the adjourned quarter sessions on the 5th of June.

Did you understand that the sessions were adjourned for the purpose of receiving that report?—I did.

Do you understand that all investigation on the part of that committee is closed?—I do, from the observation of the sheriff yesterday.

If that be so, how does it happen that they should be in possession of two books belonging to the gaol, which ought to be in the gaol?—During the examination, several matters were referred to from those books; and the clerk of the peace has them for the purpose of making extracts from them.

Be so good as to produce your books. [*Produces them.*]

H. J. Bachelor.

(25 May.)

Henry Jones Bachelor called in; and Sworn.

You are a prisoner in this gaol?—Yes, under a charge of forgery.

Have you any complaint?—No, I have no complaint; I have received the greatest attention and civility since I have been here; I have had free communication with my attorney in a room where no other person has been present.

Who is that attorney?—Mr. Ely, of Ilchester, whom I am obliged to employ, because I cannot communicate by letters with my attorney in Bath (Mr. Murray) so freely as I could wish; the letters being, under the rules of the prison, left open for inspection.

Have you any other statement to make?—Our bread is always very good, and any complaint we have to make is always attended to; but if there could be an allowance of meat, which I understand is the practice in the metropolitan prisons, I should be glad to have it. I have found my health affected, in consequence of having no animal food.

What food are you allowed?—A loaf of three pounds weight, which is distributed every other day, and two-pence to each prisoner at the same time. I have not observed any appearance of dampness in the cells, and, from the thickness of the walls, I should think it almost impossible: every thing is very neat and clean.

Cross-examined.—Have you ever applied to Mr. Bridle (in order to avoid the public examination) to have your letters sent out of the prison by a confidential person?—I have not.

Have you any thing else to add?—No.

J. G. Shepherd. and *J. Fowler.*

John Gabriel Shepherd and *James Fowler*, called in; and Sworn.

To Shepherd.—Are you a prisoner in this gaol?—Yes.

To Fowler.—Are you a prisoner in this gaol?—I am.

To Shepherd.—Under what charge?—Stealing pigeons.

To Fowler.—Under what charge are you confined?—The same.

Do you sleep together?—Yes.

What is the reason why you two sleep together?—We asked the gentleman if he would be so kind to let us do so—it would be more company.

Had you any other reason for wishing to sleep together?—No.

Of whom did you ask leave?—Mr. Pike, the head turnkey.

Have you either of you any complaint to make?—No.

Mr. Bridle.

Mr. *Bridle* again Examined.

You have heard the statement made by Shepherd and Fowler as to their sleeping together; why is that so?—The gaol has, upon an average, nearly two prisoners to each bedstead, particularly in the ward to which these men belong. I have known the felons ward so full, that each bedstead has been occupied by two prisoners, and in each cell an additional bed upon the floor.

In the event of a bed becoming unoccupied, would one of the two prisoners that slept together be immediately removed to the vacant bed?—I imagine not; because, from experience, we find that we should soon be obliged to place perhaps the same two again together.

What proportion of the beds would you suffer to be unoccupied, before you would remove into those unoccupied beds some of the prisoners who sleep together?—Immediate division might take place, unless they requested to sleep together as these men did.

Are you in the habit of permitting prisoners to sleep together, upon their application to do so, without reference to the crowded state of the gaol?—No, certainly not.

Then, how do you account for several beds being at this time unoccupied, whilst two prisoners are permitted to sleep in others?—This is the first moment that I knew of those men sleeping together; they were received while I was absent. I think it better to let two friends sleep together, than to put two strangers into the same bed, who may quarrel and make a noise.

How many beds have you in prison?—Two hundred and eighteen, *viz.*

WARDS.	Rooms.	Cells.	Beds.	
1. Felons Ward	10	16	39	This is only one building, and all the cells in it communicate with each other.
2. Convicts D°				
3. Old Time Ward	- -	20	33	In this ward 77 prisoners have been together at one time.
4. New - - D°	6	8	30	
5. Misdemeanor D°	2	- -	8	This on the plan is called Infirmary, it is used as a misdemeanor ward in relief of other wards.
6. Refractory, No. 1.	- -	1	1	
7. - - D° - - No. 2.	- -	2	2	Occupied by Hunt and two others.
8. Female Infirmary	1	- -	1	
9. Boys Ward	- -	2	5	Occupied by female debtors.
10. Women Felons Ward	- -	10	19	Both used for female offenders.
11. Women Debtors D°	- -	4	8	
12. Lower Debtors D°	6	- -	26	
13. Upper - D° - D°	5	- -	40	
TOTAL	30	63	218	

Are

Mr. Bridle.
(25 May.)

Are there any beds intended for more than one person?—No. I wish to observe, that twenty-nine convicts have recently been removed from the prison, which may account for most of these beds being now unoccupied; and, further, that as it is the practice to remove the beds and bedding from the cells when they become unoccupied in order to clean them, and to wash out the cells, it would be very inconvenient to remove other prisoners into them for a few days at least.

Have you no spare beds and bedding that could be used, whilst such as you have just described are being cleaned?—We have a constant supply, but it is an advantage to white-wash such cells as become empty.

Are those cells, which are now unoccupied in the felons ward, to be white-washed?—I imagine not, on account of the assizes having been so recently held, when those wards underwent that process.

Then you do not continue beds in an unoccupied state solely for the purpose of white-washing, or otherwise cleaning?—Not on all occasions.

Elizabeth Wilkins, called in; and Sworn.

Elizabeth Wilkins.

Are you a prisoner in this gaol?—Yes.

Under what sentence?—Seven years transportation.

How long have you been here?—Four years.

Have you, during that time, met with any ill-usage from any of the officers of the prison, and what?—In the first six months, I was twenty-four weeks in the wash-house and a fortnight in the laundry. We cut our caps a little bit under the chin, and for that my hair was cut off as a punishment; eight or nine of the younger women were punished in the same way, and some of the older ones were not. I paid seven-pence for the cap.

Why were the caps cut?—In order that they might be fuller in the front.

Had the elder women any punishment?—No; nor did they pay any thing for their caps.

By whose orders were you punished?—I cannot say.

Had you any other punishment?—I was locked up for ten days.

What was that for?—Susan Blewit was in the prison, and she asked me to send out for a yard and a half of jean, and a yard and a half of calico, to make a pair of stays, and a pair of black stockings; and she gave me a 5*l.* note to buy them with. I sent for them by my mother, and gave her the note; and she brought the things and the change to the porter's lodge. Before my mother retired, Blewit applied to me to let her have some money. I let her have a guinea, and a ring for twelve shillings that cost me 1*l.* Blewit, the next morning, as soon as she was unlocked, said she was done, and had been robbed in the night. There were two beds in her cell, and she said she heard the guinea and the ring jinkle in her pocket after she was locked up, and she made an outcry. Blewit was locked up longer than I was. Sally, who slept with Blewit, and Sarah House, who slept in the same cell, were not punished. I had my pay stopped five weeks, because the privy became choaked up, although I had always thrown water down to clear it as I was ordered. The privies are stopped now every week or four days.

Have you any other complaint to make?—No, I have nothing to say against Mr. Bridle; he never gave me an angry word, except at the time I was locked up; but Mrs. Hobbs was very strict upon me, as she was upon all the women, who did not do sewing for her own emolument.

What was Mrs. Hobbs office in the gaol?—She had the care of us.

Did you ever complain of Mrs. Hobbs's conduct?—No, I did not, until I was sent for by Mr. Hunt. I went to him three times.

How long ago was it that Mr. Hunt sent for you?—I think about a month ago.

When were you last punished?—Eighteen months ago, that was, when I was locked up.

What put it into your head to make this complaint?—I did not make any complaint; but I was sent for by Mr. Hunt, and I was to declare the truth, he said, whether I had ever been punished.

Did Mr. Hunt tell you why he sent for you?—He said he was to examine me, and that I was to tell the truth, and nothing but the truth.

Have you any thing further to state?—No.

Cross-examined.—Did Mr. Hunt ever make you a present of any thing?—No, nor promised me any thing.

Was it long after cutting the caps before you saw the visiting magistrates?—I saw them a few days after.

You knew that you might then have complained if you pleased?—I knew it, but did not complain.

Do not the visiting magistrates always ask, whether you have any complaint?—They do.

Were the caps much hurt?—No, a small bit only was cut off; I wore it after until it was worn out.

Don't you know that the caps were not worn after they were cut?—I wore mine after putting a little bit to it, until it was worn out.

Is it the practice to cut the hair of the prisoners in the gaol occasionally?—Yes, it is.

Did you ever know it cut indecently or improperly?—Mine was cut quite close that time.

Do you know how many times Blewit was in the gaol?—No, I do not.

Try to recollect?—I cannot say.

Do you think she was four times?—I do not recollect her being confined here but that once.

Do you recollect any inquiry about the 5*l.* note?—No, I do not.

Elizabeth Wilkins. (25 May.)

The quarrel between you and Blewit was very high?—No, I never quarrelled with her in my life.

Did Blewit ever accuse you of stealing the 5*l.* note?—No.

You saw the visiting magistrate?—Yes.

When your earnings were suspended, was it because the privy was overflowed?—Yes.

Was you wardswoman, and had the care of it?—Yes.

Has any complaint been made about the privy since?—No; because I have a long stick with which I force down the soil.

How many days were you in confinement with Blewit?—I was locked up on a Saturday, and let out on the Monday week following, and the snow was on the ground all the time.

Have you any thing further to say?—No.

Mr. *William Bridle* being called upon to defend himself from the preceding charges made by Elizabeth Wilkins, says, I must refer to the entries in the book, which will show that all that took place was in conformity with the practice of the gaol. I do all I can to encourage good behaviour, but occasionally I am obliged to be severe.

William Webb called in; and Sworn.

W. Webb.

State any and what complaint you have to make respecting any thing that you have suffered since you were confined in this gaol?—The razors are very bad, and we have no glass to shave by, which occasions us to cut ourselves, and we cannot shave one another.

Have you any other complaint to state?—Our letters are broke up, come on what business they may, before they come to our sight, and we cannot come near our friends in the conversation room, and the yard is damp; no sun can come to it hardly.

What are you in prison for?—For not paying a penalty for evading a toll.

How long are you committed for?—Three months.

William Walbridge called in; and Sworn.

W. Walbridge.

If you have any complaint to make about the gaol, let us hear it?—I have no other complaint only about the razors; we cannot shave one another, and the water sometimes is very bad.

Have you been examined by any one else about this complaint?—No.

Have you any thing else to say?—No.

What are you in prison for?—For catching a rabbit.

Cross-examination of both Witnesses.—Have you ever made any complaint about the razors?—Yes, to Mr. Pike.

Mr. Bridle examined.—The razors are provided by the county?—Yes.

Richard Pike examined.—Did the persons now present, Webb and Walbridge, complain to you respecting the razors at any time?—No, I do not recollect that they ever did; a hone is put into each ward with the razors, twice a week.

Cross-examined.—Is not a man employed to shave those prisoners who cannot shave themselves?—Not lately; the last man who was employed conducted himself improperly, and was discharged; but there is generally a barber in each ward.

To Webb and Walbridge, re-examined.—Have you any thing to say to Mr. Pike; you admit that a hone is put into the ward with the razors?—Yes; but the razors are very thick from want of grinding.

Simon Cozens called in; and Sworn.

Simon Cozens.

You are a debtor confined in this prison?—Yes.

What is the complaint that you have to make?—When my children come I should be glad to have them into the ward I am in, or conversation room, with what things they have for me, at other times than the regulated hours.

Have they ever been refused admittance at the regulated hours?—No.

What are the regulated hours?—9, 12, and 3.

For how long are they admitted at those times?—9 to 10, 12 to 1 and 3 to 4.

And you wish to have them admitted at any other times of the day?—Yes, I do.

Have you any thing else to say, or complaint to make?—No.

Samuel Jeanes called in; and Sworn.

Samuel Jeanes.

You are a debtor confined in this prison?—Yes.

Have you any complaint to make?—None at all, except that my son came 33 miles to see me, and he had only one hour to stop, and there were 12 or 14 people in the conversation room with us, so that we could not talk about particular business that we had to settle, and he had to go part of the way back the same evening.

When was that?—26th April.

Did you make any application to any one for permission to see him alone?—No.

Have you any other observation to make?—No; there is nothing else that I can find fault with.

[Adjourned at 7 P. M. until 9 to-morrow morning.

SATURDAY, 26th MAY, 1821. The Commissioners met at 9 A.M.

Mr. *Henry Hunt* called; and Sworn.

Mr. H. Hunt. (26 May.)

ARE you a prisoner in this gaol?—I am.

Have you any complaint?—Yes, sir; and I beg leave to deliver in these charges [*produces them*] which I mean to substantiate.

Mr. Hunt said he should have to call several persons who are prisoners, as he did before the magistrates, when it was found that the gaoler had had communication with those witnesses while under examination. Mr. Hunt proposed to give in a list of them. Mr. Hunt requested that the gaoler should be prevented from having access to those witnesses, and proposed that the taskmaster should have orders to communicate between Mr. Hunt and his witnesses.

You mean, that in the approach of any witness to us, Mr. Bridle should not have any access to those prisoners?—No; I only wish to communicate with the commissioners, and to be allowed to call those witnesses without being obliged to do so through Mr. Bridle.

[Mr. Hunt and Mr. Bridle withdrew during the deliberation of the commissioners upon Mr. Hunt's request. Being called in, they are informed that Mr. Hunt is to be permitted to communicate with the commissioners through the medium of the taskmaster. The commissioners cannot direct that the gaoler shall not have access to those witnesses; but previous to those witnesses being examined, they may be asked whether they have been tampered with by Mr. Bridle.]

Mr. *Bridle*.—I have abstained from entering any of the wards during those examinations, unless where absolutely necessary. I wish to be ordered not to have any access with those prisoners.

[*Charges read.*]

Mr. *Bridle* wished to have professional aid.

Commissioners.—Do we understand that you wish these proceedings to be adjourned until you can procure professional assistance?—Yes.

[This part of the proceedings adjourned until two o'clock.

Mr. *Hunt* said, when I send for a prisoner as a witness, I wish to send the order by the taskmaster, for the purpose of their being examined by me in my own room, without going through the medium of Mr. Bridle.

Mr. *Bridle*.—I shall be obliged, if Mr. Hunt's request be granted, that the application may be in writing, and lodged in my hands.

Mr. *Hunt*.—That is what I object to, because Mr. Bridle, in that case, will be aware what witnesses I shall examine in private. I wish that he should have no knowledge of the persons whom I intend calling as witnesses.

Commissioners, to Mr. *Bridle*.—Do you object to that?—No; I ask as a favor that it may be so ordered.

Granted; but Mr. Hunt's applications must be made in writing to the taskmaster, who is to retain them and not show them to any person, but to deliver them, at the earliest opportunity, to the commissioners. The females to be seen by Mr. Hunt in the presence of the matron.

Jonathan Masters called in; and Sworn.

J. Masters.

Are you an officer in this prison?—I am clerk to the chapel.

Examined by Mr. Hunt.—Have you been speaking in the town respecting the commissioners?—No.

Have you been communicating to Mr. White any thing relative to the commissioners?—I told him that I heard that the commissioners should say that the water in the gaol is good.

Did you say that you understood the commissioners had been round the gaol, and had tasted the water and said it was good?—Yes.

As you did not hear the commissioners say this, who told you so?—It was the talk of the town.

Who told you so?—I heard it in William Pitman's kitchen; Charles Marshall was present, who is an officer of the gaol.

You are on oath; will you undertake to say that Charles Marshall did not say so?—No, I will not.

In fact, did not Marshall say so?—Yes, he did.

He told you, that the commissioners had tasted the prison water, and had pronounced it good?—Yes he did.

[Mr. Hunt requested that Masters should be admonished not to talk in the town, and spread reports of the commissioners observations.

Masters admonished, that the commissioners having come to no decision respecting the water, that he should not walk about and spread any reports respecting the commissioners enquiries.]

Charles Marshall called in; and Sworn.

C. Marshall.

Are you an officer in this gaol?—Yes, an assistant officer.

Examined by Mr. Hunt.—Was you in Pitman's house the day before yesterday?—Yes.

Did you see Jonathan Masters there?—Yes.

Did you say any thing there as to the commissioners opinion respecting the water?—I said I understood the commissioners had tasted the water, and that I had heard no complaint.

C. Marshall. (26 May.)

Did not you say that the commissioners tasted the water and had found no fault with it?—No; I said I heard the men who had worked in the factory say, that the commissioners had tasted the water and had made no complaint.

Do you recollect any man in particular who said so?—No.

Did you or did you not positively state at Pitman's that the commissioners had tasted the water, and pronounced it good, or words to that effect?—No, I did not.

[Marshall admonished not to state upon hearsay, or otherwise, any thing that passes in the gaol, with reference to the present inquiry, while it is going on.]

The *Taskmaster* called in.

The Taskmaster.

Commissioners.—Mr. Hunt will apply to you in writing for any prisoner, to be examined by him in private, which application you are to keep, and shew it to no one, and as soon as possible deliver the papers to the Commissioners. The men to be conducted by you to Mr. Hunt, and the females to be examined by him in the presence of the matron.

[Adjourned at twelve, until two o'clock P.M.

Two o'clock, P. M.—Mr. *Hunt* and Mr. *Bridle*, called in.

Mr. Hunt being asked who he proposed to call as the next witness, said he wished to call John Phelips, esquire, a magistrate for the county, with whom he said he had some communication in this place.

John Phelips, Esquire, Sworn.

[Occurrence Book called for (last volume), and Magistrates Journal.]

J. Phelips, Esq.

You are a magistrate of this county, I believe?—Yes.

And a visiting magistrate of this gaol?—Not at this time.

Examined by Mr. Hunt.—You have been?—Yes.

What is the nature of this book now on the table?—I consider it to be a book kept by the governor, to record the daily occurrences which take place in this gaol, and in his absence it would be noted in by the next in command; I don't mean that the man himself would note in it, but it would be noted in.

Do you mean, sir, that the occurrences which should take place (say on a Monday) would be recorded in this book on the same day?—Certainly.

Have you had such an opportunity of seeing the book lately, as to ascertain whether any alterations or interlineations have taken place in it?—I have seen many lately.

Has it happened, in your looking over the book, that you have discovered whether any alterations or interlineations were made with reference to Ann Denman, a prisoner in this gaol, on a charge of bastardy?—Yes. [*Entry of 24th October 1820, pointed out—*

["Committed, four months, 4th July 1820.} Discharge of Ann Denman, her sentence being expired."

"Denman stated not to have been actually discharged until the following Friday."

Another instance of what appears to me to be an interlineation, is in the case of John Wheeler.—"November 3d, 1820. Put ^John Wheeler into "solitary confinement for disorderly behaviour in their cells."

Another instance "Monday 2d October 1820," in the case of Wheeler.

Does that appear to you to be an interlineation?—It does; but I cannot say that it was done with the same view as the others. There also appears an erasure

Should you, Mr. Phelips, a magistrate, coming here as a visiting magistrate, expect to find the entries in that book as they occurred?—I should.

During your looking over the Magistrates Order Book, for the government of the gaol, have you found that the orders of the magistrates have not been acted up to on particular occasions?—[*Book produced.*]—"Order 12 September 1815. Signed John Goodford and "R. T. Whalley."

Are the signatures in the book those of the magistrates in question?—They are.

[*Entry read.*] "Boys not to be allowed, under any consideration whatever, to "sleep with the men."

How long have you been a visiting magistrate of the gaol?—I cannot positively say; about seven or eight years.

During that time, were you made acquainted that there were stocks for punishing women or boys?—I did not know that any stocks were kept in the gaol until a month or six weeks ago.

Do you consider it to be part of the discipline of this gaol, to put blisters upon men's heads, as a punishment?—I never heard of such a punishment, until about six weeks since.

Cross-examined by Mr. White, (Mr. Bridle's professional friend.)

You were not aware that stocks were kept in this gaol?—I never saw any till lately.

You do not recollect, then, approving of them in the Magistrates Journal?—No, I never did.

Have you lately seen the situation of the women's stocks in the gaol?—I have seen them in the laundry.

Is that a public or private situation?—In the open room.

Do you happen to know how long they have been there?—No; I cannot possibly say.

Be so good as to refer to the Magistrates Journal, 18th of May 1820.—[*Entry read.*] "Ordered a boy of the name of Wheeler, a convict for two years hard labour, who had "been guilty of a disturbance of fighting with another boy, to be confined in a separate cell

" cell till he shall amend his behaviour; and approved of Mr. Bridle's confining the legs of " such boys as shall be disorderly in their workshops."—It is signed by myself. *J. Phelips, Esq.*

You do not recollect in what way the boy's legs were to be confined?—No, I do not. I wish to be permitted to explain myself. I think it right to say that, if the stocks had been produced at that time, I might have approved of them. With regard to the women's stocks, when I did see them, the prisoners had thrown so many things upon them, that we were obliged to remove those things before we could see what they were. (26 May.)

Re-examined by Mr. Hunt.—Have you seen the boys stocks lately?—I have seen one pair.

If you had seen the stocks, such as you have now seen, should you have ordered boys to be confined in them?—As the danger has been pointed out in them, I would not.

You have read an order of your own, that Wheeler should be confined till he should amend his behaviour; did you intend, by that order, that he should be handcuffed, with his hands behind him, night and day?—Certainly not; I never ordered irons at all in solitary confinement; nor ever heard of any till lately, as punishment with solitary confinement.

Examined by the Commissioners.—Are the use of stocks, as a punishment in this gaol, authorized by any order of the magistrates?—I do not know; I never saw any.

Do you consider the stocks which you have seen in this gaol calculated for disgrace or corporal punishment?—Certainly, disgrace.

I mean those for the women, as well as those for the boys?—Those for the women, for disgrace, certainly; for they would, I think, sit in them as easy as in a chair. Those for the boys, except in case of accident, are not likely to be productive of pain.

If a boy is compelled to stand in those stocks at his work from eight A. M. till one, and from two to six, day by day, would you consider that to be severe corporal punishment?—I certainly should.

Elizabeth Davis called in; and Sworn.

Do you hold any situation in this prison?—At present, as matron. *Elizabeth Davis.*

How long have you held that situation?—Since the 25th of February last.

Is Sarah Hewit under your care?—Yes.

Has she a child?—She has.

Sarah Hewit called in; and Sworn.

Are you a prisoner in this gaol?—Yes. *Sarah Hewit.*

[*Question by Mr. White* (Mr. Bridle's solicitor).—Are convicted prisoners competent to be examined on the present enquiry?—*Commissioners.* Yes.]

How long have you been so?—Four years the 2d of last April.

Under what sentence or order are you now confined?—Seven years transportation, having been convicted of felony.

Was that your original sentence?—Yes.

[Mr. White's objection repeated and argued.—The Commissioners think her evidence admissible.]

Examined by Mr. Hunt.—Have you been delivered of a child since you have been in this gaol?—Yes.

How long had you been confined here before you were delivered?—Two years.

Have you ever been taken before a magistrate, to swear to the father of that child?—No, I have not.

Do you remember being examined in this room, before a body of magistrates, as to who was the father of that child?—Yes.

How long is that since?—It is within a month.

Did you state to those magistrates who was the father of that child?—I did not state to them the right father.

Did you ever state to any body who was the father of that child?—No, I did not.

Was Elizabeth Wilkins your nurse when you lay in?—She was.

Did you ever tell Wilkins who was the father of that child?—I did not, sir; not in particular.

If you did not state in particular, who did you tell her was the father of the child?—I did not tell her who was the father of the child.—[*Admonished to speak the truth.*]

Do you mean to say, that what you stated in this room before the magistrates was not the truth?—I was so agitated when I was before the magistrates that I did not know what I did say; I am very sorry for what I did say.

Do you know that the gentlemen sitting here are magistrates and commissioners sent from the Crown?—Yes, I do.

Then you are not agitated now?—No, I am not.

Have you ever seen Mr. Bridle since that time?—No, not since I was in this room on that occasion.

Have you received any message from him, or any letter?—No, I have not.

Have you employed any woman to write to Mr. Bridle, or to be sent to his house?—I have not.

What is the name of the woman who is ill in your ward?—There are three or four ill.

What is the name of the woman in your ward who is under the sentence of transportation for bank notes?—Mrs. Burton; but she is not in our ward.

Does she ever come into your ward?—She comes in sometimes.

How has she access to the ward?—She comes in to write letters for the women.

Sarah Hewit.

(26 May.)

Did she ever write any letter for you?—She never wrote but one for me, and that was to my own mother six months ago.

Has she been talking to you about this child?—Not at all; she knows nothing of my affairs, she is quite a stranger to me.

Did you not say to the magistrates in this room, that Mr. Bridle was the father of your child?—I did say it, but I am very sorry I said so; it is not Mr. William Bridle's child.

What induced you to say it was his child?—I do not know; it was agitation; I never said it was Mr. William Bridle's child.

Did not you say it was your master, Mr. Bridle's child?—I did say so; but I never said it was Mr. William Bridle's child.

What did you mean by saying it was your master's child?—I do not know; I was so agitated.

Did you not tell the magistrates that he was the only person who had had connection with you in this gaol?—I never said that Mr. William Bridle was the only person; I said I had but one father to the child.

Did you not state to the magistrates, that no visitor was the father of your child?—They would not allow me to say no visitor; but only no fellow prisoner or servant.

Do you not recollect saying before the magistrates, that you signed a petition to go to the King?—I did; but I never told Mr. Hunt a word what to put down in the petition; Mr. Hunt sent for me four times in one day to say, that he had a letter from the head gentlemen at Taunton, that they would sign a petition to get me my liberty; Mrs. Davis told me that she had orders from Mr. Hunt to fetch me down from the head sheriff.

Did you go down four times?—Mrs. Davis came for me four times; she told me if I did not come down, she had orders from Mr. Hunt that I should be obliged to come by the head sheriff.

Were you ever in my room, and did any thing ever take place but in the presence of Mrs. Davies and some other person?—No, sir, I cannot say I never was.

Was Mr. Kinnear present on that occasion?—Yes, he was.

Was not the petition read over to you in the hearing of Mr. Kinnear and Mrs. Davis?—Yes, it was.

Was it not stated in that petition, as read to you, that Mr. Bridle, the governor of the gaol, was the father of your child?—It was so stated, but I am very sorry it was stated.

Was it not stated both by me and Mr. Kinnear, in the hearing of Mrs. Davis and yourself, how important it was that you should say and sign nothing but the truth?—Yes, it was stated so; but I was so very ill, I was obliged to go against my will.

Was it not stated to you by me, as well as by Mr. Kinnear, that if your petition was presented to the King, it would in all probability be inquired into, and therefore you would be detected if you stated any thing that was not true?—It was stated to me, but I had no wish to sign the petition.

Was that petition signed by you that night, or were you desired to go to your home and return the next day, to have it read over again before you did sign it?—I signed it next morning.

Was Mr. Kinnear then present?—Yes he was.

Did he take pains, both he and myself, to induce you to sign nothing but the truth?—I do not know what Mr. Kinnear said to me.

Was it read over to you the next morning, and was it then stated that Mr. Bridle, the governor of this gaol, in whose house you had been living as a servant, was the father of the child?—It was so, but I am very sorry it was; but I was very ill, and I did not know what was in the petition.

Did Mrs. Davis sign as a witness to your signing?—Yes, she signed it.

You have stated that you did not say before the magistrates, that Mr. William Bridle was the father of your child; did you not say that Mr. Bridle, the gaoler, was the father of it?—I said before the magistrates that Mr. Bridle was the father of the child; I did not say Mr. William Bridle, nor the governor.

Did you not state before the magistrates that it was your master, Mr. Bridle?—I did say it was my master, Mr. Bridle.

Did you state before the magistrates what was true?—No, I did not; I was never before magistrates before.

Have you ever been in private with Mr. Bridle within the last six weeks?—No, I never saw my master in any private place.

Do you mean to say, that you did not see your master in private in Mrs. Davis's kitchen?—It was not in private, Mrs. Davis was present.

Were you servant to Mr. Bridle in his house, when you first came here?—Yes, I was.

Was that why you called him master?—Yes.

Did you ever call him dear master, in the presence of Mrs. Hobbs, the then task-mistress?—No.

You were not examined on oath before?—No.

Examined by the Commissioners.—You have said to us, that Mr. William Bridle was not the father of your child, and that in your petition, and when you were before the magistrates, Mr. Bridle, your master, was the father of the child; who was the Mr. Bridle that you meant upon those occasions?—Mr. Bridle's brother who was here at that time; Mr. George Bridle.

Now I ask you, in point of fact, who was the father of your child?—Mr. George Bridle.—(I hope your honours will please to forgive me, I have told you the truth).

Elizabeth

Elizabeth Davis sworn; and Re-examined by Mr. Hunt.

Elizabeth Davis.
(26 May.)

Has there been any private interview between Mr. Bridle and Sarah Hewit, within the last five or six weeks?—Yes, there has.

Had Mr. Bridle a private interview with her in your kitchen, in your house?—Yes, he had.

How long were they in private together?—About a quarter of an hour.

Do you know of any correspondence having gone on between them since that time?—No, I do not.

Have you known any parcels or letters sent from the women's ward to Mr. Bridle's house in a private way?—I have known a sort of parcel left in Mr. Bridle's passage from the women's ward, but I do not know that it was for Mr. Bridle.

Did it come from Hewit's ward?—Yes.

Who delivered that parcel?—Ann Court?

To whom was it delivered?—Mrs. Cox.

Mr. Bridle's sister?—Yes.

Is it the habit among the females, that they are not to send any letters without they are shewn to the matron?—I always see them; it is the rule.

Did you consider, that the delivery of a letter to Mrs. Cox in that way was an infringement of the rules of the prison?—If it was a letter, it was so.

You say, you are in the habit of opening the letters; have you ever seen any rule in the gaol to do so?—No, I have not; I was told it was the custom, and I have always done so.

You were in my room with Sarah Hewit when she signed the petition?—Yes, I was.

Did I, in your hearing, read over that petition, clause by clause, to Sarah Hewit, that she might understand it?—Yes, you did.

Was it not then distinctly stated, that Mr. Bridle, the governor, in whose house she was living, was the father of the child?—Yes it was distinctly stated, that Mr. William Bridle was the father.—I heard Mr. Hunt read the words.

Do you recollect her coming down the next day to sign it?—She came in the evening, and Mr. Hunt read the petition to her, and she signed it next morning.

Was there any promise or any threat used to induce her to sign it?—She signed it voluntarily, as it appeared to me; Mr. Hunt did not threaten her, neither did he promise her any thing.

Was there any thing in the slightest degree stated by me, or by her in conversation with me, to induce you to believe that she meant that George Bridle was the father of the child?—I never thought she did.

Have you ever heard her say any thing about it since?—I have heard her speak about it, but I never heard her mention Mr. Bridle's name; she never positively told me that it was Mr. Bridle's child.

How long have you taken the matron's situation?—Since the 25th of February.

When you came, had the women a change of stockings?—No, they had not.

Had they handkerchiefs and other necessaries?—They had not a change of handkerchiefs; they were badly off.

If their stockings or handkerchiefs were washed, they went without while they were washing?—They must.

But did they?—They did while their stockings were washed; I never saw them without handkerchiefs.

Cross-examined by Mr. White.—You spoke of a parcel that was brought into the passage; how do you know it came from the ward?—I saw it delivered; I went with the woman who carried it from the ward; she must have brought it from the ward.

When you found there was this scarcity of stockings, did you mention it to the governor?—I did immediately.

What did he say on that occasion?—He said, they should have them; and made an order, and they had them.

He could not have known it but through the matron?—I should not suppose that he could.

Was he ever, to your knowledge, told of it before?—No, not to my knowledge.

Did he appear astonished at the information you gave him?—I think he did.

Who was the matron immediately before you?—Mrs. Hobbs.

Was she not dismissed by the magistrates?—Yes, she was.

Is it not the duty of the matron to keep those things in store for the prisoners?—I consider it to be so.

Re-examined by Mr. Hunt.—You only know from hearsay, that the magistrates dismissed Mrs. Hobbs?—I heard it from my husband and Mr. Hobbs himself.

Examined by the Commissioners.—At the commencement of your examination, you talked of a private interview between Mr. Bridle and Sarah Hewit, did that interview take place, neither yourself nor any other person being present?—I was not in the room; there was no person in the room but Mr. Bridle and Sarah Hewit.

When did that interview take place?—It might be about a month or five weeks back, or it might be longer.

Do you know whether that interview took place before or after Sarah Hewit was examined by the magistrates?—Before Sarah Hewit was examined by the magistrates.

Examined by Mr. Hunt.—Was it not after Sarah Hewit was examined by me?—Yes, it was.

Did not Mr. Bridle send for Elizabeth Wilkins, Sarah Hewit's nurse, from the same ward,

Elizabeth Davis.
(26 May.)

about the same time of the interview with Sarah Hewit?—No; I never knew Mr. Bridle send for Elizabeth Wilkins.

About the time of the interview, did you know of Elizabeth Wilkins coming to the house to Mr. Bridle?—Next day I knew it.

Do you know of any message sent by Wilkins to Mr. Bridle, wishing to see him?—Yes; she sent the message by me, wishing to see him.

And in consequence of that message she went to Mr. Bridle?—Yes, she did.

How long did she remain with Mr. Bridle at his house on that occasion?—It might be about half an hour.

Charlotte Scott called in; and Sworn.

Charlotte Scott.

Are you a prisoner in this gaol?—Yes.

How long have you been so?—Three years the 28th of last March.

What was your sentence?—Fourteen years transportation.

Examined by Mr. Hunt.—Do you remember being placed in solitary confinement?—Yes.

Was that soon after you came here?—I came in January, and it was the next Christmas after I was tried.

What offence had you committed for which you were put into solitary confinement?—Tuning *(humming)* in the entry.

What took place then?—Mr. Hobbs said, hollo! who's that singing? No answer was made. Mr. Bridle came in the evening, and said to Mrs. Hobbs, he would stop every one's wages if they did not tell who was singing. A woman told him that it was me.

What did he say then?—He ordered me to come forwards to the side of the door.

Do you mean outside the door?—Yes, on the step.

What did he say to you?—He ordered the rest of the women to be taken forward, and me to be locked up.

Did you ask him to forgive you?—Yes; I said I hope Mr. Bridle you will forgive me this time.

What did he say to that?—He said yes I'll forgive you, and called to a man (Mr. Treganza) to lock me up.

Did he say any thing about your sentence?—I do not wish to make use of the words; *he said,* "A girl who is under the damned heavy sentence that you are, ought to have known better."

At this time had you been standing in the rain?—Yes, out on the step of the door, and it rained.

Did Treganza come and lock you up?—Yes, he took me down behind to the double cell.

Was that what was called the refractory cell?—Yes, I had heard so.

Was there a large iron chain on one of the bedsteads?—Yes, on one of them.

Were you in the same sort of dress that you are now?—Yes, the same sort of dress.

Had you by the time you reached to the cell got very wet?—Yes, I was wet.

When Treganza put you into the cell, what did he say?—That there was no bed there.

What did he say?—I do not exactly recollect; but he fetched me a bed: it was brought through the rain.

Did he bring any bed clothes?—Yes, out of the laundry.

What did he say when he brought the bed clothes?—He said, I have brought you some clothes, and they are nice and hot, or smoking hot, I cannot now recollect, it is so long ago.

Were the bed clothes well aired, or were they damp?—I don't think they were thoroughly dried.

This you say was about Christmas?—It was a little before Christmas.

Was the snow on the ground?—I cannot say.

Was any fire in the cell?—No.

Were you allowed any thing but bread and water?—No.

What day were you locked up?—On Saturday evening as I came from work.

How long were you kept there?—From Saturday evening till Tuesday morning.

Did any magistrate come to you?—Yes, Squire Phelips.

What day did he come to you, and who with?—On the Monday, with Mr. Bridle.

What did Mr. Phelips say?—He asked what I was there for.

Did you answer, or Mr. Bridle?—I answered that I was there for offending my master.

What did Mr. Bridle then say?—Mr. Bridle said I was there for accommodating him with a song.

Did Mr. Phelips order then that you should be released?—He said you must beg your master's pardon, and I have no doubt you will be let out.

Did you tell him that you had done that?—I told him I had done so already.

Did Mr. Phelips order you to be let out?—I understood from Mr. Phelips that I was to be released.

Were you released on that day, or were you kept there another night?—I was not let out till next day; I asked Mr. Treganza why I was not let out, as I thought Mr. Phelips had ordered me to be let out that night. Mr. Treganza said he knew nothing about it.

When you were let out, what took place the next day?—Mr. George Bridle let me out, and took me to my ward.

Well?—I went to work that evening, but not in the morning.

In consequence of this, were you taken ill?—Yes, I was ill the next day.

What was your illness?—A pain in my limbs.

You say it was pain in your limbs, were you laid up any time?—I was laid up from January

January to July; but not the January after I was first taken ill, but the next twelve months following. *Charlotte Scott.* (26 May.)

To what cause do you attribute your illness?—I always considered it to be through being punished.

Have you found any ill effects from the illness since?—I cannot use this arm so well as I could before.

Were you subject to rheumatic complaints in your limbs before that time?—I was never subject to any pains in my limbs until I came into this prison.

When you went back to your Ward, did you tell any one that you had suffered from the cold?—I complained to Mrs. Hobbs, the matron.

No one was with you in the cell?—No; I was not locked in the cell, I was locked in the yard; I had the range of the yard.

Who locked you up at night and unlocked you in the morning?—Mr. Treganza.

Not the matron?—No.

Did the matron come to bring you the food, or the turnkey?—Mr. Treganza brought my food; Mrs. Hobbs only once looked in on me.

How is the water in the yard where you were locked up?—It is better water in our ward than it is down behind.

How is the water in your ward—is it good water?—I don't wish to say any thing about the water; I have heard some people say it is very good. I don't hear any one complain of it in the ward.

Did you never hear any body say it was bad?—I never heard the people now in the ward complain of it.

Did you ever hear any women, before in the ward, complain of it?—I can't recollect. I wish to observe, that Mr. Bridle gave me in charge to the officer, and did not know what became of me afterwards. I consider that if I had applied to Mr. Bridle, I should have had a civil answer.

Did Mr. Bridle visit you every day while you were locked up?—No; I saw Mr. Bridle when he came with Mr. Phelips.

Cross-examined by Mr. White.—Are you quite sure, that when Mr. Bridle spoke to you in the passage about your singing, he said "your damned sentence?"—Yes, sir.

Might it not have been your long sentence?—No, it was your damned heavy sentence, "you ought to have known better."

You spoke of a chain on the bedstead; you had nothing to do with that?—No, I was not on that bedstead.

You were not taken ill immediately after your confinement?—I went to work that evening, and was taken ill the next day.

How long did you remain ill?—I cannot exactly say.

You were not confined by that illness for any length of time?—Not that time.

It was, I think you said, the year following?—Yes.

Then you were well all the next summer?—Yes, I enjoy a good state of health during the summer, but in winter I am most in general ill.

Do you know how long, after your confinement in the cell, it was before you were taken seriously ill?—No, I cannot exactly say.

It was in the winter you were confined?—Yes.

It was not during the following summer that you were ill?—No, it was in last January twelvemonth that I was taken seriously ill.

It was the year after you were in confinement that you were ill; it was the time I tell you; it was during the long illness that you told Mrs. Hobbs, that you supposed it was on account of your confinement that you thought you was ill?—Yes it was.

When you were removed to the debtors, it was into the infirmary, I believe?—Yes, where Mr. Hunt now is.

Re-examined by Mr. Hunt.—When you were taken to the infirmary, had you any other complaint than rheumatism?—I had no other complaint than pain in my limbs.

Were you put among any persons who had the typhus fever?—There were people ill, but I did not know what was the matter with them.

Examined by the Commissoners.—Did Mr. Bridle ever come to see you, except when he came with Mr. Phelips?—No.

Sunday was the only day that passed without Mr. Bridle visiting you?—Yes.

Did you see Mr. Bridle at chapel on the Sunday?—Yes, but not at the cell.

[Adjourned at 8 P.M. until Monday next at 8 A.M.

MONDAY, 28th MAY 1821. The Commissioners met at 8 A.M.

THE commissioners informed the parties that they would adjourn at one till two, and sit till eight. Mr. Hunt said he was prevented from having his witnesses to examine them after eight, and requested till nine. (28 May.)

The commissioners proposed to cease inquiring into Mr. Hunt's charges at seven P.M.

Entries in the Occurrence Book of Saturday, November 14th, Sunday 15th, Monday 16th, and Tuesday 17th, referred to.

"November 14th, 1818.—Put Charlotte Scott into solitary confinement for being "disorderly."

"Monday, 16th November 1818.—John Phelips, esq. visited and inspected the gaol, and "released Charlotte Scott from her solitary confinement, on promise of future good behaviour."

Mr. Phelips's entry in the Magistrates Journal as to Charlotte Scott's release, where it is stated 15th November. "Visited this gaol, and released Charlotte Scott from confinement, "on her promise of future amendment. *J. Phelips.*"

N. B. The date to the entry was a mistake, as Mr. Phelips did not visit on Sunday.

Richard Pike called in; and Sworn.

Richard Pike.

(28 May.)

Examined by Mr. Hunt.—Are you an officer of this gaol?—I am.

What office do you hold?—Turnkey.

How long have you been in that situation?—Upwards of three years.

Are you turnkey of the front lodge?—At present.

What situation did you hold before that?—Turnkey at the debtors lodge.

Do you remember the wife of Nicholas Collard (a debtor) lately haivng water stopped?—I do.

Was that water that she was attempting to bring into the gaol to her husband in a pitcher?—It was.

How long did you stop that pitcher of water before you let her have it?—I cannot say, but I went to the governor directly.

Did you communicate to the governor that you had stopped water that a debtor's wife was bringing to her husband?—I did.

Did he or did he not order you to restore the water to her?—She had the water, but I cannot charge my memory whether the governor ordered it or not; I wish to explain, I told the governor that she said she had river water, and he said that she need not go out of the gaol for river water, as there was a pump in the gaol for that purpose: after that, she brought her pitcher every evening to the lodge, and I used to get it filled by the morning, and she took it to her husband.

What time of the day was this water stopped?—I cannot say.

Do you mean to say it was half-past nine in the morning?—I cannot say, but it generally came in at about that time.

Do you remember Mr. Newman, the magistrate, coming any time that day?—I do.

Do you remember Collard making any complaint to him about that water?—I do; but I cannot say whether it was that day.

Do you mean to say that Collard was allowed to have that water until after it was complained of to the magistrates?—I cannot say whether before or after.

Had Collard's wife free access to the pump in the gaol for river water?—No, she had not.

Did not the sheriff and magistrates make an order shortly after, that debtors wives should go out for water?—It was made the 15th of this month.

How long since was it that you stopped Collard's water?—Five or six weeks ago.

Did the sheriff give that order into your hands as the lodge keeper?—He did.

Did you immediately communicate to the debtors, that they had this liberty of sending out for water?—I did not.

How many days after was it that this order was communicated to them?—I think it was two or three days, but I am not certain.

How did it happen that it was not communicated to them immediately?—I don't know; I gave the answer to Mr. Bridle.

Now, Mr. Pike, during the time you have been to the lodge, were the debtors wives allowed to bring in water until the day that that order was stuck up in the lodge?—They were not.

Since you have been here, have the debtors in the lower ward been permitted to purchase beer?—They have not; there is an exception, that is, when it has been ordered by the surgeon.

During the time that you have been at the lodge, if any friend brought to a debtor in the lower ward a pint of small beer, would it have been admitted?—It would not.

Do you know of any written or printed order hung up in the ward or at the lodge, relative to debtor's beer?—There is such an order hung up.

Eleventh rule read:—"But the eleventh rule being rescinded, notice to that effect is "given on the board of rules."

Eighth rule read:—"Prisoner not to be allowed wine, &c. nor more than a quart "of beer, and that it be delivered once a day, in the morning."

Ninth rule read:—"If complaint made by debtors of badness or exorbitance in "price, governor to change place of supply."

Do you know, of your own knowledge, of any written or printed order hung up in the debtors lodge, to prohibit debtors in the lower lodge from receiving a pint of small beer as a gift?—I never saw any but the original orders, a copy of which is before you.

[*Pike admonished to speak the truth.*] I never saw any rules but those now in your possession.

By whose order did you prohibit the debtors from having a quart of beer brought in to them per day?—It was a rule when I came to the gaol; I received it from the person whom I succeeded.—[Pike came to the gaol 26th January 1818.]

Are those rules and regulations that are hung in your lodge, or copies of them, hung up any where else in the gaol?—I do not know.

Last rule read.—"Copies of rules to be hung up."

Are those rules and regulations generally acted upon in the prison?—I cannot say that they are acted upon generally; they are acted upon in many instances.

Third rule read:—(Persons lodging in gaol.)

Is

R. Pike.
(28 May.)

Is that rule always acted on?—It is not.

Has it not been a very common case for other persons than those described in the rule, to lodge in the governor's house?—It has.

Do you know a lady named Badcock?—Yes.

Has she frequently slept here?—She has.

Do you know of a young man named Rees sleeping here?—I do.

A young lady named Mirless?—Yes.

Did she sleep here two or three months together?—I can't say, but she has been here a long time together.

Mr. Bayley?—Yes; one or two nights.

Mr. Badcock?—Yes.

Has it not been generally the practice for Mr. Bridle to allow his visitors to sleep here?—It has, in many instances.

[Sixth rule read:—"Dealers in milk to be admitted."]

Did you ever know a woman bring milk into the gaol to sell (until a recent order was given by the sheriff) after nine o'clock in the morning?—No.

Was an order lately made by the sheriff for women to bring in milk for sale, as well in the evening as the morning?—I believe there is one, but I never saw it; I was told by the taskmaster (Mr. Bunter), on Saturday last, that such an order had been made by the sheriff, to be admitted from nine in the morning till seven in the evening.

[Magistrates second and last order, 24th May 1821, read.]

Do you know of any such order being communicated to the debtors on Thursday last or since?—I do not; I have nothing to do with the debtors; I am not turnkey there.

If a debtor's wife had come with milk at six or half-past six o'clock on Saturday evening, should you have admitted her with it?—I should not, without communicating with the taskmaster; certainly not.

Do you now know of any order for debtors wives to bring in water till seven o'clock?—No, till five.

Then you would not have admitted her with water after five o'clock?—No.

[Magistrates order, 24th May 1821, read:—"It is ordered, That all the wards in "this gaol be supplied with water from the river, twice a day, if the prisoners in "such wards shall require it, until other means of supplying river water be had "recourse to; and that the debtors may send, by their wives or any messenger, "for water and milk, between nine o'clock in the morning and seven in the after-"noon, till further orders.]

"*William Hanning*, Sheriff.
"*John Newman*, } Visiting magistrates."
"*R. T. Whalley*, }

By these written rules you act generally?—Yes.

Are there a great many rules and regulations observed in the gaol that are not either written or printed?—Certainly there are.

Who do you take those rules from?—The governor, or, in his absence, the taskmaster.

Have any of the prisoners, except debtors, an opportunity of seeing those rules, or hearing them read, after they come into the gaol?—They have not, that ever I saw.

[Twentieth Rule read.—Certificate of prisoners good conduct in discharge of fees.]

Do you know of any means by which the prisoners could come to a knowledge of the twentieth Rule?—No, I do not.

Since you heard of the rule for bringing in milk from nine to seven, has any means been taken that it should be publicly known?—Yes, I told the milk-woman myself.

When you had the management of the debtors, were they allowed to see their wives in their bed-rooms?—No, they were not.

Do you know of, or was there any written rule or regulation to prevent them doing that?—I never saw any.

Has it ever come to your knowledge that debtors have taken their wives to the necessary?—I have heard such a report.

Have you ever heard complaints in the debtors ward respecting the water?—Not while I was there, except of the foulness when the waters rose; but I have lately.

Were you turnkey at the lodge at the last Ilchester election?—I was.

Upon that occasion, did you admit the election band and dancers into the gaol?—I did admit the election band and people to dance in the gaol.

Did the band play, and was there dancing in the front court?—There was.

People admitted from the town?—Yes.

Did you see Mr. Bridle, the governor, dancing among them?—I did not see him; my attention was so much engaged at the lodge with the people outside, that I did not take much notice of what happened within.

Did you know of the felons getting on the pales, and looking over to see the dancings?—There was one, a man before trial.

Do you remember seeing Robert Curry on that occasion?—Yes, I do.

Was Curry then drunk?—Yes, he was.

Is he frequently employed about the gaol?—Yes, as a messenger to the debtors; but he came in with the band.

Do you remember the band, at a former election, and while you were debtors turnkey, coming into the gaol?—Yes, I do.

Was that band and people admitted to dance in the back court?—Yes.

R. Pike.
(28 May.)

Is that fronting the laundry, where the women are employed?—Yes, it is.

Were you in the gaol when Sarah Hewit was a servant in the governor's house?—I was.

Have you known female prisoners working in the governor's house since Sarah Hewit was?—Yes.

Do you remember a man named Boone (a prisoner) acting as Mr. Bridle's servant?—I do.

What was his crime?—Misdemeanor for bad money.

Was he in the habit of going to the stable outside the gaol, to clean Mr. Bridle's horse?—He was.

Did he go out in the evening, after dusk, for that purpose?—Yes.

Do you know of his using the county straw for Mr. Bridle's horse?—Yes, on two occasions, and I remarked upon it in writing; I made a memorandum upon it.

Was that for the purpose of communicating it to Mr. Bridle?—It was: Mr. Bridle told me if any straw was wanted for his horse, I was to weigh it, and give him an account of it.

Do you know of your own knowledge, or have you reason to know, that that straw was ever replaced by Mr. Bridle?—It never was replaced to my knowledge.

How late (the latest, I mean) have you been kept up, waiting for Mr. Bridle, since you have been at the lodge?—I think till four o'clock in the morning.

Have you often been kept up till twelve o'clock for Mr. Bridle to come in, or to let out his friends?—I have, but I cannot say how many times.

Did you succeed Treganza, the turnkey, at the front lodge?—I did.

Did Treganza ever complain, while he was at the lodge, of sitting up for Mr. Bridle until late hours?—I have heard him say he should apply for more wages, in consequence of being kept up after the other officers were gone to bed.

During the last assize, had you the command of the gaol?—I had.

Did you make any memorandums of the transactions as they occurred?—I did, on a sheet of paper.

When Mr. Bridle returned, did you give him those memorandums?—I did.

Was a prisoner, Parmenias Matthews, punished in the governor's absence?—Yes.

Was that entered in your notes?—It was entered on the back of the sheet of paper; I sent for a visiting magistrate, and shewed it to him.

Was Matthews locked up in solitary confinement?—He was, about two hours.

Had he had other punishment?—No.

Was he chained by the leg in the factory?—Not on that occasion; but I have seen him chained by the leg to the loom.

Do you remember a quarrel between two debtors, during the absence of the governor on that occasion?—I do.

Was that reported to the magistrates?—I wrote a letter to Dr. Colston, requesting his presence at the gaol.

When the magistrate heard that complaint, did he dismiss the matter as trivial?—The parties had partly made it up, and the magistrate cautioned them not to behave so outrageously again.

Did the magistrate decide that the complaint was trivial?—The men promised that nothing of the kind should happen between them again, and therefore Dr. Colston dismissed them.

Did you enter it in your occurrences?—I did not, because the visiting magistrate came and decided the matter, and made a memorandum in the Magistrates Journal.

Were there any other occurrences that you entered in your paper?—Yes, such as discharging and receiving prisoners.

[Occurrence Book produced; no memorandum appears respecting the punishment of Parmenias Matthews. The complaint of Child and Raynes, the quarrelling debtors, entered.]

Saturday, 7th April 1821.—"The Rev. Dr. Colston visited and investigated the "case of Child and Raynes, two quarrelsome debtors; after hearing both parties, "they were dismissed with a suitable reprimand."

[Mr. Hunt called for that paper of Pike's, containing the occurrence during Mr. Bridle's absence.]

Commissioners to Mr. Bridle.—Have you that paper?—No, I destroyed it among other papers, as soon as I had entered the occurrences in the book, which was immediately upon my return from the assizes.

Pike's examination continued.

Do you remember a man named Gardner being punished?—I do.

Do you know at what period?—No, I do not.

Were you ordered to put him into solitary confinement?—I was.

Were you ordered by Mr. Bridle to have his head shaved, and have a blister put on his head?—Mr. Bridle told me he should apply to the doctor for a blister, to put to Gardner's head; this was after he was locked up.

Did you see his head shaved, and the blister applied?—I did.

Did you do this in consequence of orders from Mr. Bridle?—Of course.

At any time that he had the blister on, had he also a strait waistcoat upon him?—He had.

By whose orders did you put on that strait waistcoat?—The taskmaster brought the strait waistcoat to me, and told me it was to be put upon Gardner.

Who

R. Pike.
(28 May.)

Who brought you the blister?—The doctor's man brought the blister.

Who was the doctor's man?—Carter, a prisoner; the constable at the lodge who carries the medicine about the prison.

What was his sentence?—He received sentence of death.

Was it commuted for imprisonment?—Yes, I believe eighteen months.

What was his crime?—Horse stealing.

You did not mean to take your orders from this man as coming from the doctor?—The man told me Mr. Bridle was with the doctor at the surgery, and that the doctor had sent the blister. I should not have applied it, if I had not had an order before from Mr. Bridle.

Did the doctor attend the shaving the head, or applying the blister at all?—He did not.

Did you understand that this blister and the strait waistcoat were put upon Gardner to punish him, or on account of any illness?—I do not know.

Was the man ill?—He said he was ill, but he did not appear to me to be ill.

Was this at the time you locked him up, or afterwards, that he complained of being ill?—It was before he was locked up; Mr. Bridle and I were in the time yard. Gardner complained that he was ill. Mr. Bridle said he would find an infirmary for him, or something of that sort, and ordered him to be locked up in the refractory cell.

Did you understand that the blister was applied to cure him of any disorder, or was it for punishment?—I cannot say.

Was not the blister put on a week after he said he was ill?—It was some time after.

Was that the cell where people who were sick were placed?—No, it was a place used for punishment, and not applied for sick persons.

Had you heard the man complain of illness within a week of the blister being applied?—No, unless it was in the yard; I cannot say the exact time; it might be three or four days.

Examined by the Commissioners.—Was it in the yard, at the time prisoner said he was ill that Mr. Bridle said he would have a blister for him?—No.

Examination by Mr. Hunt, continued.—Did you understand that the blister was put on for swearing heavy oaths; or was it for punishment?—I heard that he swore about the magistrates to the constable. He might be in a deranged state.

It was three or four days after he was locked up, that he swore to the constable?—It was.

You have said that he did not appear to you to be ill?—No, he did not.

Had the doctor seen him at all to your knowledge?—Not at that time.

When he first had the blister put on, had the man handcuffs on, or the strait waistcoat?—I cannot charge my memory which he had on at the time, but he was confined some way or other.

Are you sure that the strait waistcoat was not put on, in consequence of the blister having been rubbed off?—The waistcoat was put on because the blister had been rubbed off.

Did you apply it again to his head?—Yes; the same blister; I was ordered to put it on again.

Who gave you that order?—I told Mr. Bridle that the blister was off, and he told me to put it on again.

Did you put any bandage to keep it on differently?—I put his cap on inside out.

Was it in consequence of this, that the strait waistcoat was put on?—I cannot say whether the waistcoat was put on, on the first application of the blister, or the second; but I rather think it was the first time; but I cannot bring it to my recollection.

How long was he in solitary confinement on this occasion?—I think nearly a month.

Was he not released soon after the blister got well?—I think he was.

Did Mr. Bridle, to your knowledge, ever visit him in his cell during that month?—To my knowledge, he did not; and I do not think he did.

Do you know James Hilliar?—Yes.

Do you remember his being put in solitary confinement and in irons, in a particular manner?—Yes.

What offence had he committed?—Gambling in the time yard, as I was told by the constable. I reported it to the governor. The constable gave me two or three dice, which he said had been played with by Hilliar, and two or three others.

Who was the constable?—Pinney, confined for felony.

You do not know then, from your own knowledge, that he had committed any offence?—No; I heard it from the constable, as also that Hilliar, had struck him.

What are the constables?—Prisoners.

Appointed by whom?—The governor.

For what purpose?—To keep the place clean, and to see that the prisoners are orderly in wards.

Were there any prisoners in the ward where Pinney was constable, confined for misdemeanors?—Yes, there were; it was in the time yard.

Did Mr. Bridle order you to iron him in any particular way?—He did.

How?—To double the links between the legs, and to bring a chain from thence and fasten that to the handcuffs.

Had he handcuffs and those irons chained to them?—Yes.

Could he stand upright?—Yes.

What weight of iron hung to his wrists?—If he pulled the iron up, ten pounds and a half.

How long was he kept in that situation?—About nine days and nights.

T. Davis.
(29 May.)

[Magistrates Journal, May 24th, 1821: (Entry)—"It is ordered, that all the wards "in this gaol be supplied with water from the river twice a day, if the prisoners "in such ward shall require it, until other means for supplying river water be had "recourse to, and that the debtors may send, by their wives, or any messenger, "for water and milk, between nine in the morning and seven in the afternoon, till "further orders. "*William Hanning*, Sheriff.
"*John Newman*, "*R. T. Whalley*, } Visiting Magistrates."]

Before last Thursday, till what time were debtors wives admitted with water?—Till five lately, since an order was stuck up to that effect.

How long ago was it that they were not admitted after four?—Not until within a fortnight ago.

Since you have acted as taskmaster and your wife as matron, have female debtors and felons been placed together?—Yes, until lately.

How long have the female debtors been separated from the female felons?—About six weeks.

Is the gaol very full now?—No.

Was it very full at the time the separation of these females took place?—Yes.

Was it the practice, when you were in the factory ward, to put boys in the stocks?—Yes.

How many days have you seen the same boy placed in stocks?—Five or six days, all day, except an hour at dinner.

Were they kept in stocks from eight till one and from two till six?—Yes.

While in that situation did they follow work?—Yes.

Were they in a standing position when in those stocks, without the means of sitting or resting themselves?—Yes.

Have you seen the boy (Wheeler) placed in that situation?—Yes.

Is he tractable, and has he learnt weaving since he came here?—He has learnt weaving very well; he has been a very bad boy; we have had a deal of trouble with him in consequence of his running out of the shop and being saucy sometimes.

Is he clever at weaving?—Yes.

Can any other boy in the factory work so well as he can at weaving?—No.

How long has he been here?—Before I came here, I think.

State any offences that he has committed since you were here.—Running out of the shop, and being saucy to me, sometimes.

Did you know of his being handcuffed, with his hands behind him, for eight or ten days?—I knew that it happened, though I did not see it.

Did he ever curse you, or the governor, or the magistrates?—No.

Did you know any thing of Gardner's punishment with a blister and strait waistcoat?—Yes.

Did you understand what they were applied for?—I understood for punishment.

Mr. Kinnear, at first, lodged and boarded in Mr. Bridle's house, did he not?—Yes.

After I came, was he sent down to lodge in the misdemeanor ward, and to board with me?—Yes.

After that, and after he had been locked up for the night, have you known him let out and brought to Mr. Bridle's house to play at cards?—I have known him let out; I do not know for what purpose.

How late have you known him to remain there?—The latest was till ten o'clock.

Was that in the winter, when I was locked up, between four and five?—Yes.

Have you known Mr. Bridle let him out?—I have known Mr. Bridle go that way with a candle and come back with Mr. Kinnear.

How long has Mr. Kinnear been gone?—About three weeks.

Did you know Mr. Kinnear, or myself, violate any of the rules of the gaol?—No, I never did.

Is there any hospital?—No.

Has any been began to be built?—Not that I know of.

How far does the surgeon live from the gaol?—About four or five miles off, I think, at Somerton; his name is Bryer.

During the early part of your being here, was the chapel made a common thoroughfare of the gaol?—Yes, up to four or five months ago.

Has Mr. Bridle ever said any thing to you or Pike since your examination before the magistrates, or during its progress?—No, except on Good Friday; a day or two after it began, he called me in, and said Mr. Pike had said more than he could prove to be true.

What else?—He said we had no occasion to be sworn unless we liked.

Was any one present except Mr. Bridle and you?—No; I understood him to mean by we, me and the other officers.

Had you been examined at that time?—No.

Did you understand it as an intimation to you not to be sworn?—No, he said we need not be sworn unless we liked.

Did Mr. Bridle apply to you to obtain a private interview with Sarah Hewit?—He said, if she wanted to see him, I was to contrive to let her into our kitchen.

Did you endeavour to prevent such an interview taking place?—No.

You know that I saw the witnesses in your wife's presence, did you desire her to stay in the room with Mr. Bridle and Sarah Hewit?—I said something of the kind to her.

Is

T. Davis. (29 May.)

Is it the practice to iron prisoners before trial, for felonies?—Yes, in single irons; but if they have been here before, in double irons.

Were the two men lately executed, executed in irons?—Yes.

Here is a manufactory of cloth?—Yes.

Do you know whether Mr. Bridle, or any of the officers know any thing about weaving?—Not that I know of.

Cross-examined by Mr. White.—How long did the election band stay to which you alluded?—About an hour, or an hour and a half.

What time of the day was it?—About eleven or twelve in the morning, I am not certain.

Curry, who was drunk, in what way was he employed about the gaol?—At times as a messenger by the prisoners, not as an officer.

What was the occasion of the prisoners of all classes of crimes being placed together in the time-yard?—For want of room.

Was that the reason that men and boys were put together in the same bed?—That I cannot tell.

Whose duty is it to provide stockings for the men?—I conceive the taskmaster's.

Was there, in fact, a scarcity of stockings at that time?—Yes, the men were frequently obliged to wear their own.

Is it not the universal practice to lock up during divine service, such prisoners as do not attend the chapel?—It is the rule of the prison; I lock such debtors in their ward, (the day room,) who do not go to chapel.

Is not that rule uniformly acted up to?—It has always been acted upon by me ever since I came here.

Do you recollect upon what occasion it was, that you saw Shepherd employed in the office on a Sunday?—I do not.

Were not a great number of convicts sent out about that time?—I do not know whether it was at that time.

Referring to Mr. Bridle's absence from chapel, does not Mr. Bridle's duty frequently require him to be absent from home?—Yes.

The shop, as they are called, bring in their articles ready weighed, do they not?—Yes.

Would there not be great confusion and delay if they did not do so?—Yes.

Some debtors have weights and scales of their own?—Yes.

Are there not county weights and scales kept in the gaol?—Yes, at the lodge.

Might not the prisoners have the use of those, if they applied for them?—Yes.

Did you ever hear any complaint of deficiency in weight of any articles?—No.

Is it not the constant practice for an officer to go round with the shop?—Yes, I have lately.

Is there not the greatest impartiality shewn as to those persons who go round with articles for sale?—Yes.

What was the reason that female debtors and felons were placed together?—Want of room: the boys ward being made an hospital of.

Is there any great severity used with the boys in the stocks?—I thought it was always a great punishment; they always seem to dread it.

Were they not in fact more mortified than punished by it?—I cannot say.

Was it attended with any pain?—I should think it was attended with a great deal of pain, standing constantly in them so long.

It is the length of time then, they were standing, that constitutes the punishment?—Yes; there is no pain at the moment they are put into them.

Did you know any one receive bodily injury from standing in that way?—No.

They have the use of every other part of the body during the time?—Yes, and work.

Were any of the boys ever so punished, except for offences that they committed?—No, it was mostly for being saucy, or playing and neglecting work.

Mr. Kinnear was confined for a misdemeanor?—Yes.

He had the appearance and manners of a gentleman?—Yes, he had.

Did not the magistrates tell you, that you might be sworn or not as you pleased?—Yes; and they asked me whether I had any objection to be sworn.

You told them you had not, and were sworn?—Yes.

Though neither Hobbs nor Bridle knew any thing of weaving, are there not men chosen to superintend the workmen?—When a regular tradesman comes in as a prisoner, he is placed over and instructs the others.

Did you ever speak to Mr. Bridle respecting the scarcity of stockings?—Yes; and he desired me not to take the men outside to work, without they were better clothed.

This was long before Mr. Hunt's publication that you spoke of?—It was five or six months ago.

I mean that called the "Peep into Ilchester Gaol?"—It was before that.

Did your hear Mr. Bridle complain to the taskmaster upon this subject?—I heard Mr. Bridle tell Hobbs once at the lodge, that the men ought to be better clothed.

Is it for want of room, that misdemeanor boys and men are placed indiscriminately in the time-yards?—It is.

Had not the three men who were put in irons for refusing to work, encouraged almost all the others to put down their tools?—Yes, they had.

Were they not, in fact, in a state of mutiny?—I considered it so, and so I told Mr. Bridle when he came out.

R. Pike.
(28 May.)

Why?—It slipped my memory.

Do you recollect whether, when you had to let in Mr. Bridle at four o'clock, he had been out upon business, or what other occasion?—I do not know.

Does not Mr. Bridle sometimes go to London with convicts, and return by the coach that arrives in the night?—Yes.

Is Treganza now living?—I believe he is governor of Bedford house of correction.

[Adjourned at 1¼ P.M. until 2¼ P.M.

Commissioners re-assembled at that time.

Richard Pike re-sworn; and Cross-examined by Mr. White.

Did not the command of the gaol devolve upon you at the last assizes, in consequence of the task-master being dismissed by the magistrates?—Yes.

His name?—Matthew Hobbs.

What is Mr. Bridle's habits respecting hours; is he accustomed to be out late at night?—No, he is not accustomed; upon particular occasions he has been out.

His office, I believe, is within side your lodge?—It is.

What is your usual hour of going to bed?—Generally between ten and eleven.

Do you not generally see him in his office when you do go to bed?—I have frequently seen a light then, and concluded that Mr. Bridle was then writing.

Will you on your oath say, that he is a man of regular habits or otherwise?—I consider him very regular.

Did you ever know the business of the gaol neglected, in consequence of his being out at the times you mention?—It was never neglected by me.

Matthews's confinement was merely a memorandum on the back of the paper you had been writing?—It was.

And the person with whom he had been quarrelling desired you not to report it?—Yes; but I did report it as I had written on the back of the paper. I wish to explain; Mr. Davis, then the acting taskmaster, came to me and said, that Matthews was very useful in making bed-ticking, and as they had a great order to execute for Shepton Mallet, his services could not be well spared; on that application I let him down; this happened on the day the visiting magistrate was here.

You brought them before that magistrate?—I did the same day, and shewed Dr. Colston the memorandum on the back of the paper.

Did he approve what you had done?—He certainly did, and reprimanded the parties for acting as they did.

Do you remember Gardner's uncle coming to the gaol?—I do.

Gardner had a brother at that time in the gaol?—He had.

The uncle saw the brother, but not Gardner?—He saw them both, but he had an order only to see one.

Which?—James Gardner.

Is that the person you spoke of before?—No; Thomas Gardner was the person that was punished.

Dr. Colston inquired as to the two debtors quarrelling?—Yes, I wrote a letter to him.

You noted on your memorandum paper, that you had sent for Dr. Colston?—No; I rather think I did not.

What reason did Gardner assign for not wishing to see Thomas Gardner?—He came to the lodge and asked to see both; I told him he could not see either without an order; he then said he heard a bad character of Thomas; I directed the uncle to go to Dr. Colston at Somerton fair, where I understood he was, and to get an order from him; he went away to Somerton, I believe, and when he came back produced an order for James Gardner.

Had Thos. Gardner been guilty of any offence before that for which he was punished?—He had.

Had he many times been guilty of offences of your own knowledge?—He had been charged with many things, and had a very bad character.

Do you know of your own knowledge, that he rejected all interference in his behalf?—No, I do not.

Did you mean, when you said the irons weighed 10 ½ lbs. to include the whole, the ring-bolts, fetters and handcuffs?—Yes; all the iron he had about him.

Is not Mr. Bridle in the constant habit of going round with the visiting magistrates when they inspect the gaol?—I have gone round with the visiting magistrates without Mr. Bridle.

Is he or one of his officers in the constant habit of going round with the visiting magistrates?—Certainly.

If Mr. Bridle had said that he would be Gardner's doctor, must you have heard it?—I think I must.

Examination by Mr. Hunt, continued.—Mention some of the crimes of which Gardner had been guilty?—I cannot.

You let him out of solitary confinement in consequence of the representation of Davis?—Yes, and at the request of the other man.

Were you in the habit of seeing Mr. Bridle in his office when you got up in the morning?—No, I was not.

Have you ever known, that when the prisoners were to be discharged in the morning, Mr. Bridle has laid in bed until ten or eleven o'clock?—I have till ten o'clock, I dare say.

Whoever you staid up for late at night, must have been for Mr. Bridle or some of his visitors?—Of course some one belonging to the house.

Can

R. Pike. (28 May.)

Can you say what crimes Wheeler, whom you say was a bad boy, had been guilty of?—I have been sent for I dare say fifty times when he has been making a noise in the ward, and I have frequently taken him to the lodge and put a book into his hand; I was always sent for by the prisoners.

That you considered a punishment?—I was told by Mr. Bridle to do so; and have set a chapter for him to read.

Did you ever know a boy who had behaved well, have a book put into his hand?—There are books in the ward.

Did you ever know a good boy indulged by staying from work, and have a book to read, or allowed to write, as a reward?—I don't know, but the taskmaster takes the people out to work, and he may have sent some back.

Examined by the Commissioners.—Did you ever know that a person who had applied to stay at home to write a letter was refused?—I never did.

Examination by Mr. Hunt continued.—Do you open the letters of all the men, except the debtors?—I open all the letters to men, except those of the debtors, and Mr. Hunt's.

Do you know whether Charles Hill ever had the cyder of which you spoke?—He had.

Are there any rules or regulations hung up any where, ordering the officers to open letters?—I never saw any.

Examined by the Commissioners.—Do you know of any cyder sent to the lodge for Mr. Hunt?—I do; of two bottles.

How long ago was it?—Seven or eight months ago.

Were they ever delivered to Mr. Hunt?—They were not.

Why?—They were sent to the lodge for Mr. Hunt, and I applied to Mr. Bridle to know if Mr. Hunt might have them, and he told me there was an order that he might have beer, but not cyder.

What became of it?—A pint was sent to Mr. Kinnear, by order of Mr. Hunt, and the other part of the bottle is at the lodge.

Who gave you orders to admit the band and people into the gaol at the time of the last election?—Mr. Bridle.

Was Boone ever sent to any other place out of the gaol than the stable?—To no other place, except the coach-house, that ever I knew.

Is there any written or printed order to prevent poor debtors having cyder or beer brought to them, as a gift?—I never saw any order, except those produced.

By whose orders did you stop it?—I received it as a rule from my predecessor.

In what way does the doctor authorize the cyder or beer to be delivered to the prisoners?—He enters in a book so much a day to be given, until it is exhausted.

Does he do that indiscriminately, or does he go and see the applicant?—The person generally applies to the doctor when he goes round.

Do you remember the doctor refusing it altogether?—I do not.

Do you consider Currey's employ in the gaol to be his principal employment?—No; but he is frequently employed by Mr. Bridle, as an assistant to go with convicts.

Can the prisoners, or their wives, get at the river water pump at all times?—No; they cannot.

What prevents them?—The pump stands behind; I suppose no debtor or his wife knows where it is.

Have the debtors any means of communicating with their wives in any private place?—No; only in the conversation-room, or else in the yard.

With reference to the circumstance of a boy sleeping with Stillman, who is the person that directs where the prisoners shall sleep?—The taskmaster.

Has he the sole authority of disposing of the prisoners in the cells?—When a prisoner is brought in, I mention to the taskmaster where there is a vacant cell, and ask if he has any objection to his being placed there.

This is done without any reference to the governor?—It is.

Is any account given to the governor where the men sleep?—No; but their names are chalked upon the doors.

Does the governor ever go round at locking in the evening, or at unlocking in the morning?—He has some few times since I have been here.

Has he any mode of knowing, except by seeing the names upon the cells, where the men sleep?—No.

Stillman was a notorious man in the gaol, on account of his crime?—Yes; but he has behaved very well since he came here.

How often does the governor go round the gaol, to inspect the state of it?—About once a month.

Did you see Mr. Bridle with the party at the last election?—Yes; he was with the party.

Was he within the gaol, or did he come with the party to the gaol, or did the party ask to be admitted?—I think Mr. Bridle was in the gaol.

Currey you saw was drunk, were many drunk?—There was one, I think, of the name of Fudge.

When Mr. Bridle was absent, was the duty neglected by any one in the gaol?—Not that I know.

How were prisoners supplied by river water?—The debtors wives left their pitchers at the lodge as they went out at night, and in the morning they received them filled; that having been done by my order.

T. Gardner.
(28 May.)

Thomas Gardner called in; and Sworn. (Admonished to speak the truth.)

Are you a prisoner in the gaol?—Yes.

How long have you been so?—Fourteen months.

Examined by Mr. Hunt.—What were you first punished for after coming here?—For having two chissels more than allowed.

What have you been employed at since you came here?—Stone cutting.

Was it for having four chissels instead of two that you were punished?—Yes.

At that time did you know of any rule that it was an offence to have four chissels to work with?—No.

Could you do your work easier with four than two?—Yes, and better.

What punishment was enforced upon you for that?—I had a large log of wood and a chain locked on my leg.

How long was that continued there?—Seven days and nights at the least, and my wages stopped, and we had beer which was allowed at that time stopped also.

Had you any thing at that time but bread and water?—No.

[Occurrence Book referred to, entry of 12th October, also that of 5th October 1821, read.]

Was there any complaint made of your neglecting your work at that time?—No, nothing but having the chissels.

For what were you punished the next time?—For striking one of my fellow prisoners.

Was it a violent blow?—No, I just struck him with the back of my hand.

Did that prisoner complain of you?—No, but one of the other men did, the man that was struck begged it might not be reported.

What was done upon its being reported?—Mr. Pike was coming in with hand-bolts for another prisoner, and he clapped them on me, the first day behind my back.

Were your hands after that bolted in front?—Yes.

How long were you in that situation?—Nine days, they were taken off by night.

Were you locked up all that time?—Yes, by day I was locked in a dark cell, and at night I was put into my own cell.

What was your third punishment for?—I was accused of picking a fellow prisoner's pocket.

Were you outside of the gate working with him at the time?—Yes.

Did you pick the man's pocket or not?—No I did not, and told the governor so at the same time.

Were you searched?—Yes; and no money was found upon me.

Was the purse found any where?—Yes, at about ten yards from where I was at work, with half-a-crown in it as they said.

Was there any evidence brought against you that you did take it?—No, no evidence to say perfectly that I took it out of his pocket.

Were you taken before a magistrate on that occasion?—No, I was not.

John Whitcomb was the man, was he not?—Yes.

Did he state that you picked his pocket?—Yes, he stated to the officer that he supposed that I had picked his pocket.

On what day was this?—Thursday.

Was there any thing done to you for it?—Not on that day, but on the Sunday following I was had in before Mr. Bridle, and was ordered to have my wages stopped.

Did you go to work on the Monday?—Yes.

Were you taken ill on Monday?—Yes, and I was taken with a pain in my inside, and had bleeding at the nose, which was very violent, and continued half an hour.

Did any of the other prisoners see you in that state?—Yes.

Were you sitting down in consequence of this when Mr. Bridle came by?—Yes, and an officer went up and told Mr. Bridle that I refused to work. I wanted to stay in my ward at dinner time. Mr. Davis told me I must come out to work. When I went out I could not work, I was not able, I sat down on the stones; at night I was taken worse in my bed. The next morning I refused to go out to work. I staid in 'till three o'clock in the afternoon. When Mr. Bridle came in, I was really ill and very sick. Hilliar and Marshman and the cook's mate, saw me sick. Mr. Bridle asked me what was the matter with me, I told him I had a very bad pain in my inside, and did not know what to do; Mr. Bridle said "I can see the fever quite strong upon you, I shall be your doctor."—He said he would find me an hospital by myself, as he was afraid I should infect the other men. I was then taken to an over dark damp cell, where I remained for a fortnight by day.

How many times did Mr. Bridle come to see you there?—Not at all.

Did the doctor come to see you?—Yes, he came after I had been there three days. The young doctor, Mr. Valentine, the assistant. He asked me what was the matter with me? I told him I had a very bad pain in my inside, and bleeding at the nose. The pain still continued: he told me nothing was the matter with me; I told him there was.

Were you well enough to eat?—No, I ate nothing for three days.

Could you drink?—Yes, any thing, I was so thirsty.

Did the doctor come to see you after that?—No; at the end of the fortnight I was had down to Mr. Bridle; Mr. Pike had asked me whether I wanted to see Mr. Bridle, and I told him yes. In consequence I was sent for down.

Where did you see Mr. Bridle?—In the front court. Mr. Bridle asked Mr. Pike whether I made application to come down; Mr. Pike said no; upon which Mr. Bridle said "take

the

him up again, Mr. Pike, for he's not well yet." I was then taken to the solitary cell again. *T. Gardner.*

What happened after that?—The next night I had my head shaved, and a blister applied to it, and a strait jacket was put on me at the same time, and I was made a laughing stock of. (28 May.)

Who shaved your head?—William Carter, a prisoner who was cast for death.

Who made a laughing stock of you?—Mr. Pike; and I had my clothes taken from me, and I was put to bed with the strait waistcoat on, and at about eight o'clock Mr. Pike came and saw the blister shoved off a little, and said I had been trying to get it off; then he took my cap and turned it inside out, put the blister on again, and tied the cap tight under my chin with a string, and I remained in that state all that night, and the next morning Mr. Pike and Carter came and took the blister off. Mr. Pike asked if it had rose.* I told him I did not know.

Had the blister given you any pain?—Yes, it was like pins and needles in my head.

Did Mr. Pike put it on again?—Yes, with a band; he put it on firmer, with my cap over it, and with the tassell inside, which hurt my head very much; about twelve in the day it pained me worse; I began crying, and rubbed it off with the cap against the wall, skin and all. I got the blister into the chamber-pot, although I had the strait waistcoat on; I was half an hour getting it there. Mr. Pike then came up, and asked me what was the matter; I asked him to go down and to see Mr. Bridle, and ask him if he would please to forgive me. He said he would go down and tell Mr. Bridle that I wanted to see him. He came up again in about an hour and a half, and saw the blister and bandage off, and asked where was the blister. I told him I had put it into the chamber-pot; upon which he said, "there's damned impudence;" and said he would go down and let Mr. Bridle know of it, and he would have another blister put on.

Did he put another blister on?—No.

Did he put any plaster on?—Not till the evening, just before I was put to bed. It was brought up by Carter, and Pike came up directly after. They put it on my head.

How long was the strait waistcoat kept on you?—About twelve days in the whole, without being taken off, except to undress and dress me. I slept in it. The Sunday following I was had down before Mr. Bridle. I thought it was very hard I was kept locked up so long, and began crying; and Mr. Pike took me down to Mr. Bridle. I had not the strait waistcoat on then; it was taken off in the morning for me to walk in the court; I waited at the door half an hour, and Mr. Bridle then came to the door, and asked me how I was; and I told him I was rather better, but very bad then. Mr. Bridle then said, "he's not well yet, put him up again Pike."

Did you ask him to forgive you?—Yes, I almost went down on my knees for him to forgive me; he said, "oh, no! I cannot forgive you; I must have another blister put on you, and I shall have more of that hair shaved off;" and he looked at my head. I was took from there to the cell again. After three or four days, I saw Mr. Bridle again; and he asked how I was, I told him better, and asked him to forgive me. Then he told Mr. Pike to let me go down for about a quarter of an hour, and then to put me into my cell again.

Did he ask you to confess about stealing the purse?—Yes; he said if I had confessed it, he would have forgiven me; but I told him, I knew no more of it than the baby unborn; I said, if he had kept me up a twelvemonth, I knew no more about it.

How did you manage to eat and drink while the strait waistcoat was on?—I was obliged to kneel down and gnaw the bread on the bedstead; after walking in the court, I took up my bread and water, and put the water in a convenient place, where I could drink, when I had the waistcoat afterwards put on.

Did any magistrate come to you?—No; but one evening I was walking in the court, and saw a magistrate go by to Mr. Bridle's; I asked Mr. Pike ten or twenty times to let me see the first magistrate that came; after I saw the magistrate go by, I asked Mr. Pike why the magistrates did not come to see me; and he said the magistrates did not come on purpose to see me.

Why did you not hail the magistrate as he went by?—Because I was afraid I should have more punishment.

Were you released from solitary confinement without having seen a magistrate?—Yes; Mr. Bridle was walking the court, and came to the rails, and I begged his pardon, and he forgave me; and I afterwards begged pardon of Mr. Davis, the turnkey. I went to work then without any wages until the magistrates came; I went in before the magistrates, and Mr. Bridle said he had stated my case to the magistrates. I thought it was hard I could not state my own case.

For what was the blister put on?—Mr. Pike told me it was for punishment, because one of the men had told him that I had cursed the magistrates. In reply to that, I said to Mr. Pike, "Instead of cursing the magistrates, if I had applied to you, Mr. Pike, to see "Mr. Bridle, I should have been forgiven." This was about three weeks before last Christmas.

Surgeon's book produced, 21st November 1820.—"A blister to the head for Thomas "Gardner."

N. B. This entry appeared to be made in different ink from the former part of the entry of the day.

The strait waistcoat was put upon Gardner in the presence of the commissioners.

Occurrence book exhibited, Saturday 4th November 1820.—"Thomas Gardner's "earnings to be suspended until further orders, for picking the pocket of John "Whitcombe

T. Gardner.
(28 May.)

" Whitcombe of a purse, containing 2*s.* 9*d.* which was found concealed under " some stones."

Thursday 9th November.—" Thomas Gardner, whose earnings was on Saturday last " ordered to be suspended for picking the pocket of his fellow prisoner, having, " since that time, been very idle and indifferent in his work, and refusing to take " any notice of the advice offered him from time to time, has this day given up " working altogether, under a plea of being ill and unable to work; being perfectly " convinced that this was an excuse meant to impose on the service, and to defeat " the object of the order alluded to, I put him into solitary confinement."

Monday, 20th November 1820, [*Entry read.*]—" Thomas Gardner, at the same " time, applies to be restored, but it being reported by the surgeon that his " illness was feigned, (see 4th and 9th instant); and by the turnkey, Davis, that " his conduct to him yesterday was very impertinent; that he then told him he " was not tired, that he was comfortable, &c. In consequence of which, I " ordered him to be continued. The constable of the ward, in passing with him " to the cell, (before the turnkey,) advised him to behave better; to which he " replied, be d——d if he would ask pardon of any of them justices, nor none " of them, he would see them all d——d first."

Tuesday, 5th December 1820.—" Thomas Gardner having promised to conduct " himself more orderly in future, is released from solitary confinement; his " earnings, however, to continue suspended till further orders."

Thursday, 7th December 1820:—" The Rev. R. T. Whalley and John Quantock, " esquire, visited and inspected the gaol, and ordered, That Thomas Gardner, " &c. (see 5th instant) be restored to their usual portions or earnings on future " labour."

You are sure it was on Sunday that you were first locked up?—Yes, after coming out of chapel.

Is it true that you said what you have just heard read respecting the justices?—No, it is not; I never said any thing of the kind to any body.

[*N. B.* Thomas Gardener shewed the commissioners how he picked up the blister.]

Thomas Gardner.—When my wages were restored to me, Mr. Bridle told me he had a hard matter to get them put on by the magistrates. Ever since, I cannot sometimes hear any one speak to me, and my eyesight is occasionally affected. When I am reading, I often cannot see the letters, and I can't sometimes hear the officers speak to me.

How old are you?—Eighteen.

Have you mentioned it to your fellow-prisoners?—Yes; they have told me sometimes that they have been speaking to me ten minutes without my hearing them. My uncle came and saw me outside, after I was released from solitary confinement, and spoke to me; and when he was coming back, he hardly looked at me. He went to a magistrate for an order to see my brother, but not me; and came back, and had conversation with my brother, without sending for me.

Did your uncle, when he spoke to you outside, speak to you in a kind manner, as he had been before accustomed?—Yes; he said, " Tom, how do you get on?" I told, " As well as could be expected."

Did your brother assign to you any reason why your uncle would not speak to you?—Yes; he told me that Pike had given me a bad character to my uncle, which was the reason my uncle would not have me in to conversation. Up to the time of my coming here, my uncle was as kind to me as to my brother; and up to the time of my uncle's coming here, he sent me things as well as my brother.

Cross-examined by Mr. White.—You are not at all deaf now?—No, sir.

On what occasions are you deaf; when you have a cold?—The dampness of the weather, I suppose.

For what offence were you first put in solitary confinement since you came into the gaol?—It was for throwing a note over the wall to my brother for some bread, as I had not enough bread for my supper.

How did you throw it over?—With my hands, with a coal.

How long were you confined on that occasion?—Eight days at least.

Are you speaking of the first time?—Yes; my brother and two others were locked up the same time; one for writing, one for throwing, one for picking up, and one for sending the bread over.

Occurrence Book.—[Entry.] " March 17th, 1820.—Put Thomas Gardner, James " Gardner, Hugh M'Geddy, and William Hartwell into solitary confinement " for disorderly practices in the felons ward."

Monday.—" March 20th, 1820.—Released Hugh M'Geddy and William Hartwell " from their solitary confinement, on promise of amendment."

Cross-examination continued.—M'Geddy and Hartwell were released long before we were.

Thursday.—" 23d March 1820.—Released Thomas Gardner and James Gardner " from their solitary confinement, on promise of amendment."

When was the next time you were put into confinement?—I was going to the assizes, and at Taunton I put my hand out to shake hands with a man I knew; Mr. Gane said " Mark that damned rascal." Then I had my hands bolted behind me, and I was put into a dark cell alone at Taunton, where I could see nothing; this was 26th March 1820.

Who put you into confinement there?—Mr. Bridle ordered me to be locked up; I heard him.

How

T. Gardner.
(28 May.)

How long did you remain in the cell with your hands bolted behind you?—At night my hands were loosed, and I was put into another cell, and brought back in the morning, until I was tried, on the Tuesday 28th March; I was tried and found guilty, and then I was taken to the same cell and handcuffed.

What was your sentence?—Death for housebreaking. I was released the same evening and forgiven.

After being brought back to this gaol, what were you next punished for?—For kicking a man on the leg. I was hand-bolted for this to the man that I kicked.

[Entry, 13th April 1820, read.]

How long were you kept in that state?—I cannot say, but I was discharged on a Sunday.

[Entry, 16th April 1820, (Sunday) read.—"Released Palmer and G rdner, &c."]

How long after that was it when you were punished again?—About two months afterwards.

What was that for?—I was at dinner, and one of the men slipped me down; I had a knife in my hand, and it cut him in the knee.

[Entry of the 1st July 1820, read.—"Put Thomas Gardner also into solitary "confinement, for wilfully cutting and stabbing Zebedy Beacham with a knife."]

Cross-examination continued.—It was, I believe, on the Wednesday before (28th June) that the accident happened; but at any rate it was before the Saturday.

How long were you confined on that occasion?—A fortnight.

[Entry, Saturday, 15th July, 1820, read. "A. Moody, esq. visited, and released "Thomas Gardner from his solitary confinement, on promise of future good "behaviour."]

How long was it before you were punished again?—For striking William Withers.

[Tuesday, September 19th, 1820; entry read.—"Put Thomas Gardner in handcuffs "and solitary confinement, for being riotous and striking William Withers in the "time ward."

Then came the offence about the chissels?—I don't know which was the first.

[Entry, 5th October; read, "Put on clog."

You were restored to your wages by the magistrates?—Yes.

[Entry in the Magistrates Journal, 12th October 1820.—"Ordered, That Thomas "Gardner and William White, be restored to their earnings, released from their "clogs and solitary confinement. By order, Edward Coles, clerk of the peace."]

During your confinement with the strait waistcoat, had you regular exercise mornings and evenings?—I had on mornings, but not in the evening. One morning, because I said I wanted no breakfast, Mr. Pike would not let me come down at all.

Were you not at liberty at meal times?—I was not at liberty from the time I went up in the morning, until the bell rang to go to bed.

Re-examined by Mr. Hunt.—You had free access to water morning and evening?—No; I only washed myself twice, when the water was brought to me, during the whole fortnight that I had the strait waistcoat on; and I never changed my shirt but once; and at all other times I have worn my stockings three months without being washed, when they were taken away, and I had a new pair.

Do you mean to say that when you had a pair of stockings given you, you wore them until you had a new pair, without their being washed?—I never had a change.

In consequence had you sore feet?—Yes, I have had blisters on them.

When Zebedy Beacham was stabbed, what doctor attended him?—None; he was locked up the same as I was.

Did the wound fetch blood from his knee?—Yes; it bled for about ten minutes. He was well enough to walk home to Bath a fortnight afterwards.

Did he charge you with doing it intentionally?—No, he did not. There was a black cook in the ward at the time, and he owed me a spite, and knocked at the trap, and had Mr. Pike called down.

During any of the times that you were locked up, did the governor ever come to visit you?—No, he did not only once, when he came to forgive me.

Examined by the Commissioners.—How often did he come to inspect your wards?—I never saw him above three times at farthest since I have been here.

How long have you been here?—Fourteen months.

How many times before you were tried, and how many after did the governor come to inspect your wards?—Once before I was tried, and about three times since; but he has been several times in them on other things.

Are you not absent great part of the day?—Yes.

Of course you do not know whether he goes in at those times?—No; there was a fowl's leg broke by one of the prisoners outside; Mr. Bridle came into the ward, and made Gibbs SPLIT about it. Gibbs mentioned the name of one of the prisoners, and he was put in double irons for it; and went out to work, and had his wages stopped. Mr. Bridle told Gibbs that if he was telling an untruth, he would send to the Secretary of State, and have him moved off immediately. Gibbs is here.

What is Gibbs's sentence?—Six months.

Was not Gibbs sentenced to solitary confinement?—Yes.

Had you irons on before you were tried?—Yes.

Were you tried in irons?—Yes.

Did you claim to have your irons taken off before you were tried?—No.

[Adjourned at eight P. M. until eight to-morrow morning.

TUESDAY, 29th MAY 1821. Eight o'clock, A. M. the Commissioners re-assembled.

Thomas Davis called in; and Sworn.

T. Davis. (29 May.)

ARE you an officer in this gaol?—Yes.
What?—Turnkey at the debtors lodge.
How long have you been so?—A fortnight since Sunday se'nnight.
Previous to that, what were you?—Acting as taskmaster.
How long did you so act?—From 25th February last. I came to the gaol 26th December 1819, and acted as turnkey and assistant taskmaster at the factory.
Examined by Mr. Hunt.—Were you acting as turnkey last general election where dancers were admitted?—Yes.
Did a band come in?—Yes.
Did you see Mr. Bridle, the governor, dancing?—Yes, I did.
Did some women dance on that occasion?—Yes.
Were any prisoners looking on?—Yes, one of the felons.
Any time men?—No.
Was Mr. Kinnear looking on?—I did not see him.
Were any of the men that came in drunk?—Yes, two.
Was either of those employed about the gaol?—Yes, Robert Curry.
Did you hand out cyder to them?—Yes, in a cup; Mr. Bridle's servant boy handed it to me from the house.
Did Mr. Bridle's boy hand any thing else out?—No.
Did Mr. Bridle caution you not to give the drunken men more liquor?—No, I gave them none at all.
Was an election dinner given in Mr. Bridle's house?—Yes, in this room (upstairs).
Was Mr. Kinnear, a prisoner, one of the party?—Yes.
Did he wear colours?—No, I do not recollect that he did.
Did you?—No.
What time did the party break up?—About half-past twelve or one; I am not quite certain.
Did any of the party sleep in the house?—I don't know.
You were a good deal among the men last summer?—Yes.
How were the men then off as to clean linen and stockings?—Very badly off.
Have they their own clothes taken off when they are committed, and made to go to work, and the prison dress put on?—Yes.
Do any prisoners work before trial?—Yes; many come in that have been in before, and Mr. Bridle thought proper to have them out to work and put on the gaol dress, if they are handy men and know how to work.
Was Kew, the man who was executed, put into the gaol dress as soon as he came in, and sent to work?—No; he was kept a few days in the felons yard before that was done.
Did he work with the men committed for misdemeanors, and with the boys?—Yes.
Was he placed in the time-yard with the men for misdemeanors?—Yes.
In that yard, are there men and boys confined together for all classes of crimes, from stealing apples to capital felonies?—Yes, and refractory apprentices.
Has it not been a practice for men and boys to sleep together?—Yes.
Do they sleep together up to this time?—I don't know; but up to a month ago they did.
Did you ever receive any instructions from the governor, that men and boys were not to sleep together?—No.
What was Kew executed for?—Highway robbery.
Had the time men a change of stockings last summer?—No, they had not; there was no change since I came, until two months ago.
Were there men working in the coldest weather last winter, without feet to their stockings, outside the gate?—Yes.
Did any of them complain on that account?—No; they said they would not work, it was too cold. I have heard men, at different times, ask Mr. Hobbs, the taskmaster, for stockings.
Did you bring the men who refused to work, on account of the cold, before Mr. Bridle?—I sent for Mr. Bridle. One man (Guard, a mason) laid down his tools, and called to the other men to do the same.
When Mr. Bridle came out, did any of them pull off their shoes, and shew him that they had no feet to their stockings?—I do not remember any thing of the kind.
Were any of them put into double irons in consequence?—Yes, three of them.
Had not two of them stockings without feet?—Yes; the other had his own white cotton stockings; we had none to give him.
Was Guard in the prison dress?—Yes, all but stockings.
Did those men work in double irons during the cold weather?—Yes.
Did one of those that complained and ceased working have, instead of double irons, two flannel waistcoats?—Yes, one, Hardy, who complained of having a cold.
How long did those men work in double irons?—A fortnight or three weeks.
They attempted no violence or to escape?—No; they asked to go in, on account of the cold weather.
Was it snowing?—Yes, a little.
Was it particularly cold?—Yes, and there was a sharp wind.

Was

T. Davis.
(29 May.)

Was it frequently the case that there was water in puddles where the men stood to work outside the gate?—Yes, frequently when it rained; I have put boards under their feet, as many as I could get, to keep their feet dry.

Have they been often obliged to lade out the water, that had accumulated in the night, when they went to work in the morning?—Yes.

How long did the men go without clean shirts?—The longest I knew was a fortnight and three days; I knew that to be the case seven or eight times.

Were any of the men prisoners employed all day, on one Sunday last summer, washing their own linen?—Yes.

How many men?—Three.

Did they work during chapel hours?—Yes.

Was I locked into my room during chapel time, without access to my yard at that time, because I did not like to go to chapel?—Yes.

Have you constantly attended chapel since you have been here?—Yes.

Did you ever see Shepherd (a debtor), who writes for Mr. Bridle in his office, at chapel?—I never saw him there.

Was Shepherd, on any Sunday, neither at chapel nor locked in his ward?—About three Sundays ago, I saw Shepherd in the office when I went to chapel, and he was there when I came back.

Was I locked into my room at that time?—Yes.

Can Shepherd leave the ward, and go to the office when he pleases?—Yes, on application to me; I never had any orders to let him pass, but it was so before I was turnkey.

Did you ever see any rules or regulations hung up in the gaol, where the prisoners could see them, for locking up prisoners who did not go to chapel?—No.

How often have you seen Pike at chapel during the first twelve months that you were here?—Not once, I believe; he was always stationed at the gate.

Does he go to chapel now?—Yes, for the last two or three months.

Although stationed at the gate?—Yes.

Has any inconvenience arisen since he has gone to chapel?—No.

How many times did you see Mr. Bridle at chapel between 17th May 1820 and Christmas last?—I know that he came sometimes two or three Sundays, and staid away three or four.

Was he there five times?—I cannot say.

Was he frequently absent?—Yes, more than present.

Much more frequently absent than present?—Yes.

Examined by the Commissioners.—Was it so much the habit of Mr. Bridle to be absent that, when he was present, it was matter of observation?—I cannot say; I never thought any thing, whether I saw him there or not.

Examination by Mr. Hunt, continued.—Did you see Mr. Bridle at chapel five times between 17th May and Christmas?—I think I did.

Ten times?—I cannot say.

Do you attend the shop (people to serve the prisoners with victuals)?—Yes.

Are they admitted on Sundays?—No.

How long are you going round with them?—About an hour.

Have they generally left the prison by nine o'clock?—Always.

Did they carry round with them weights and scales to weigh the articles that the prisoners purchased?—Never, except the butchers.

Did the governor ever meet them with weights and scales to ascertain whether their goods were weight?—No; I never saw him.

Did he ever examine their articles to see whether they were good and wholesome?—No, nor any officer.

Did he ever examine the weights and scales with which the butchers weigh their meat?—No, nor any one else.

Was it not frequently the case that those shop people had quitted the gaol before Mr. Bridle has made his appearance?—Yes, generally.

Has he ever examined the milk brought in?—No, nor any one else.

Has the milk been complained of?—Not that I know.

Were the prisoners allowed to have in milk in the evening as well as the morning?—Never.

Has any order been delivered or read to you to admit debtors wives and milk people until seven P. M.?—Not till Saturday last, when Mr. Pike told me there was one for debtors wives to bring in milk, but not to be admitted to their husbands.

Have you communicated that to the debtors in writing?—No; but I have told them that their wives may bring in milk.

Did any of the debtors apply to you to know whether you had not an order to that effect?—Yes, Shepherd, on Wednesday or Thursday last.

What did you do upon that?—By desire of Mr. Shepherd, I went to Mr. Bridle, and asked him if he had any such order; he told me he had no such order, but that he would see Mr. Shepherd presently. This was, I think, on Thursday. I told Mr. Shepherd what Mr. Bridle said.

Has Mr. Bridle ever communicated to you any such order up to the present time?—No, he has not.

In consequence of what you were told by Mr. Pike, should you, last night, at six o'clock, have admitted debtors wives with water or milk?—No, not into the ward.

T. Davis.
(29 May.)

[Magistrates Journal, May 24th, 1821: (Entry)—"It is ordered, that all the wards "in this gaol be supplied with water from the river twice a day, if the prisoners "in such ward shall require it, until other means for supplying river water be had "recourse to, and that the debtors may send, by their wives, or any messenger, "for water and milk, between nine in the morning and seven in the afternoon, till "further orders. "*William Hanning*, Sheriff.
"*John Newman*, } Visiting Magistrates."]
"*R. T. Whalley*, }

Before last Thursday, till what time were debtors wives admitted with water?—Till five lately, since an order was stuck up to that effect.

How long ago was it that they were not admitted after four?—Not until within a fortnight ago.

Since you have acted as taskmaster and your wife as matron, have female debtors and felons been placed together?—Yes, until lately.

How long have the female debtors been separated from the female felons?—About six weeks.

Is the gaol very full now?—No.

Was it very full at the time the separation of these females took place?—Yes.

Was it the practice, when you were in the factory ward, to put boys in the stocks?—Yes.

How many days have you seen the same boy placed in stocks?—Five or six days, all day, except an hour at dinner.

Were they kept in stocks from eight till one and from two till six?—Yes.

While in that situation did they follow work?—Yes.

Were they in a standing position when in those stocks, without the means of sitting or resting themselves?—Yes.

Have you seen the boy (Wheeler) placed in that situation?—Yes.

Is he tractable, and has he learnt weaving since he came here?—He has learnt weaving very well; he has been a very bad boy; we have had a deal of trouble with him in consequence of his running out of the shop and being saucy sometimes.

Is he clever at weaving?—Yes.

Can any other boy in the factory work so well as he can at weaving?—No.

How long has he been here?—Before I came here, I think.

State any offences that he has committed since you were here.—Running out of the shop, and being saucy to me, sometimes.

Did you know of his being handcuffed, with his hands behind him, for eight or ten days?—I knew that it happened, though I did not see it.

Did he ever curse you, or the governor, or the magistrates?—No.

Did you know any thing of Gardner's punishment with a blister and strait waistcoat?—Yes.

Did you understand what they were applied for?—I understood for punishment.

Mr. Kinnear, at first, lodged and boarded in Mr. Bridle's house, did he not?—Yes.

After I came, was he sent down to lodge in the misdemeanor ward, and to board with me?—Yes.

After that, and after he had been locked up for the night, have you known him let out and brought to Mr. Bridle's house to play at cards?—I have known him let out; I do not know for what purpose.

How late have you known him to remain there?—The latest was till ten o'clock.

Was that in the winter, when I was locked up, between four and five?—Yes.

Have you known Mr. Bridle let him out?—I have known Mr. Bridle go that way with a candle and come back with Mr. Kinnear.

How long has Mr. Kinnear been gone?—About three weeks.

Did you know Mr. Kinnear, or myself, violate any of the rules of the gaol?—No, I never did.

Is there any hospital?—No.

Has any been began to be built?—Not that I know of.

How far does the surgeon live from the gaol?—About four or five miles off, I think, at Somerton; his name is Bryer.

During the early part of your being here, was the chapel made a common thoroughfare of the gaol?—Yes, up to four or five months ago.

Has Mr. Bridle ever said any thing to you or Pike since your examination before the magistrates, or during its progress?—No, except on Good Friday; a day or two after it began, he called me in, and said Mr. Pike had said more than he could prove to be true.

What else?—He said we had no occasion to be sworn unless we liked.

Was any one present except Mr. Bridle and you?—No; I understood him to mean by we, me and the other officers.

Had you been examined at that time?—No.

Did you understand it as an intimation to you not to be sworn?—No, he said we need not be sworn unless we liked.

Did Mr. Bridle apply to you to obtain a private interview with Sarah Hewit?—He said, if she wanted to see him, I was to contrive to let her into our kitchen.

Did you endeavour to prevent such an interview taking place?—No.

You know that I saw the witnesses in your wife's presence, did you desire her to stay in the room with Mr. Bridle and Sarah Hewit?—I said something of the kind to her.

T. Davis.
(29 May.)

Is it the practice to iron prisoners before trial, for felonies?—Yes, in single irons; but if they have been here before, in double irons.

Were the two men lately executed, executed in irons?—Yes.

Here is a manufactory of cloth?—Yes.

Do you know whether Mr. Bridle, or any of the officers know any thing about weaving?—Not that I know of.

Cross-examined by Mr. White.—How long did the election band stay to which you alluded?—About an hour, or an hour and a half.

What time of the day was it?—About eleven or twelve in the morning, I am not certain.

Curry, who was drunk, in what way was he employed about the gaol?—At times as a messenger by the prisoners, not as an officer.

What was the occasion of the prisoners of all classes of crimes being placed together in the time-yard?—For want of room.

Was that the reason that men and boys were put together in the same bed?—That I cannot tell.

Whose duty is it to provide stockings for the men?—I conceive the taskmaster's.

Was there, in fact, a scarcity of stockings at that time?—Yes, the men were frequently obliged to wear their own.

Is it not the universal practice to lock up during divine service, such prisoners as do not attend the chapel?—It is the rule of the prison; I lock such debtors in their ward, (the day room,) who do not go to chapel.

Is not that rule uniformly acted up to?—It has always been acted upon by me ever since I came here.

Do you recollect upon what occasion it was, that you saw Shepherd employed in the office on a Sunday?—I do not.

Were not a great number of convicts sent out about that time?—I do not know whether it was at that time.

Referring to Mr. Bridle's absence from chapel, does not Mr. Bridle's duty frequently require him to be absent from home?—Yes.

The shop, as they are called, bring in their articles ready weighed, do they not?—Yes.

Would there not be great confusion and delay if they did not do so?—Yes.

Some debtors have weights and scales of their own?—Yes.

Are there not county weights and scales kept in the gaol?—Yes, at the lodge.

Might not the prisoners have the use of those, if they applied for them?—Yes.

Did you ever hear any complaint of deficiency in weight of any articles?—No.

Is it not the constant practice for an officer to go round with the shop?—Yes, I have lately.

Is there not the greatest impartiality shewn as to those persons who go round with articles for sale?—Yes.

What was the reason that female debtors and felons were placed together?—Want of room: the boys ward being made an hospital of.

Is there any great severity used with the boys in the stocks?—I thought it was always a great punishment; they always seem to dread it.

Were they not in fact more mortified than punished by it?—I cannot say.

Was it attended with any pain?—I should think it was attended with a great deal of pain, standing constantly in them so long.

It is the length of time then, they were standing, that constitutes the punishment?—Yes; there is no pain at the moment they are put into them.

Did you know any one receive bodily injury from standing in that way?—No.

They have the use of every other part of the body during the time?—Yes, and work.

Were any of the boys ever so punished, except for offences that they committed?—No, it was mostly for being saucy, or playing and neglecting work.

Mr. Kinnear was confined for a misdemeanor?—Yes.

He had the appearance and manners of a gentleman?—Yes, he had.

Did not the magistrates tell you, that you might be sworn or not as you pleased?—Yes; and they asked me whether I had any objection to be sworn.

You told them you had not, and were sworn?—Yes.

Though neither Hobbs nor Bridle knew any thing of weaving, are there not men chosen to superintend the workmen?—When a regular tradesman comes in as a prisoner, he is placed over and instructs the others.

Did you ever speak to Mr. Bridle respecting the scarcity of stockings?—Yes; and he desired me not to take the men outside to work, without they were better clothed.

This was long before Mr. Hunt's publication that you spoke of?—It was five or six months ago.

I mean that called the "Peep into Ilchester Gaol?"—It was before that.

Did your hear Mr. Bridle complain to the taskmaster upon this subject?—I heard Mr. Bridle tell Hobbs once at the lodge, that the men ought to be better clothed.

Is it for want of room, that misdemeanor boys and men are placed indiscriminately in the time-yards?—It is.

Had not the three men who were put in irons for refusing to work, encouraged almost all the others to put down their tools?—Yes, they had.

Were they not, in fact, in a state of mutiny?—I considered it so, and so I told Mr. Bridle when he came out.

T. Davis.
(29 May.)

They were the ringleaders?—I cannot say, but I think they were the principal offenders, the first who said any thing about its being cold.

Did any of them complain on that occasion that he had worn out his flannel shirt?—I do not recollect.

Do you remember Mr. Bridle providing a man with two flannel shirts?—I remember Mr. Bridle telling a man to go in and he should have a flannel shirt, because he said he had a cold.

While these men are working outside the gaol, they are under cover?—Yes.

But you are not?—No, unless when it rained, I went under the covering.

You remember a female debtor, Jane Trask, being here?—Yes.

She was the only female debtor here at that time?—Yes.

Did she request to be removed to the other women?—Yes.

That was her own act, being removed there?—Yes.

When other female debtors were brought in, and there was a vacant ward, they were removed?—I don't know; there was another female debtor brought in soon after, who was placed where Trask was, among the felons.

Was that for want of room there?—The ward now occupied by female debtors was then an hospital.

Can the boys, when in the stocks, sit down?—They can, but they were not allowed. Mr. Hobbs would not allow them. There is about six inches space where they might sit down; but if they sit down they must be in more pain than when they stand up.

Do you mean if they sit for any length of time?—If they sat ten minutes; five minutes I should think would be a relief.

Who introduced this punishment?—I don't know; the stocks were made since I came here.

Who was the taskmaster when they were introduced?—Mr. Hobbs.

Could order be produced without some such device?—I don't know what better; while I was there I never used them.

Did you ever know any boy so punished, without deserving it?—I never knew any punished so without being complained of, and Hobbs never punished them without going to Mr. Bridle, if he was in the gaol.

By whose order did you remove Mr. Kinnear through the chapel?—Mrs. Bridle's.

Did you ever remove him by Mr. Bridle's order?—No; I never removed him but twice, and that was by Mrs. Bridle's order.

Has not Mr. Bridle forborn to go into any of the wards since the magistrates commenced their investigation?—I don't know; Mr. Bridle has been in the factory, and in the wards, and I have been with him.

Re-examined by Mr. Hunt.—Did you, as taskmaster, purchase yarn without the governor's order?—No.

How did it happen that I was not locked up during chapel hours, for the first fourteen weeks after I came here, when I did not go to chapel; and how happened it that I was afterwards locked up during those hours?—I do not know; I always thought you were locked up.

When you go to a shop in the town to buy for yourself, do you not see every thing weighed?—Yes; I never buy of the shop people in the gaol.

Are you quite sure that a boy in the stocks, who wished to sit down, could do so without falling down, stocks and all?—I cannot say whether he could or not; I never saw a boy in the stocks sitting down.

Was the observation of the magistrates, that you might be sworn or not, as you pleased, put to you in the same way, and with the same meaning, do you think, as Mr. Bridle put it?—Yes, I think it was; they were nearly alike; I understood they were both put for the same purpose.

Mr. Bridle told you that Pike had been swearing to more than he could prove; and, at the same time, he told you that you had no occasion to be sworn unless you liked?—In a minute or two after he said I had no occasion to be sworn unless I liked.

How do you manage when there is no regular tradesmen among the prisoners to teach the men to work?—We have generally a good supply among the time men, who teach others as they come in.

Who was Wheeler under when you were taskmaster?—John Southern.

Have you ever known the work in the factory at a stand, owing to the neglect of the governor in providing wool or other materials?—No, I never knew it.

When Mr. Bridle told you that the men should not be taken out without better clothes, were they very ragged?—Their jackets and breeches were very ragged, and indeed they wanted better clothes. Mr. Bridle told me not to take them out till Mr. Hobbs clothed them better.

Could not all the men and boys felons have been put into one yard, and those for misdemeanors have been kept in the other yard at the time; you say they were mixed indiscriminately together?—Yes.

Was not Hardy one of the men who laid down his tools?—Yes.

He had the flannel waistcoats?—I heard so; he had an order for one I know.

When the men were working under cover, you walked up and down to keep yourself warm?—Yes, I did.

Had all the men boards to stand on at the time you mention?—No; some of the ground was high, and where there was wet we put a board for the men to stand on; the others stood on dry ground.

Was

Was it a mere shed that they stood under?—A shed open in front. *T. Davis.*

Should you have removed Mr. Kinnear by Mrs. Bridle's order, unless you had seen Mr. Bridle do it before?—I don't think that I should. (29 May.)

Examined by the Commissioners.—Miss Churchus was a quaker, and a female debtor?—Yes

Where was she confined?—I believe in No. 1, called the refractory cell.

Was she in solitude whilst there?—Yes; no one was there but herself; but she could go into the yard.

Whilst she was so confined, had the turnkey access to her cell, without being accompanied by the matron?—Yes; I locked her up in her cell at night.

Was you, when you locked her up, accompanied by the matron?—No; but Mr. Pike was with me.

Who unlocked her in the morning?—I don't know.

Did any of the turnkeys go to her ward without the matron?—Yes, I believe we all did.

Had Carter (the horse stealer) a key of that ward, so that he could have access to her?—Yes.

Have you known men paid by the county, employed by Mr. Bridle, whilst so paid, in turning a private dunghill belonging to Mr. Bridle?—Yes; three men, and I was employed to overlook them.

How long were they so employed?—Four or five days.

When Pike is at chapel, who looks after the gate?—One of the extra officers.

Is Shepherd locked up always during chapel hours?—Yes, every Sunday since I have had to do with the debtors ward, which is about a fortnight.

Is it known by the prisoners that they have the use of the county scales?—I do not know; but I suppose it is, because they have seen them used to weigh things in the factory yard; I never heard them asked for.

Have you heard the quality of the articles brought in by the shop people complained of?—Not till lately, that the proceedings were going on; there was a complaint about the tobacco, but I never heard of it till lately; the magistrates examined the tobacco, and one of the sorts proved to be bad.

Is any thing paid by those shop people who come to the gaol?—I never had any thing of them myself, and never had reason to suspect that any body else had.

Do they pay any thing as a premium for coming within the gaol to sell their things?—No.

In case the prisoners in the time-yard had been separated in classes, would they not have been together in the factory yard?—Yes.

When there is no stock of gaol cloth, in the prison, do the prisoners wait for clothes until they are manufactured in the prison, however long it may be?—They have ever since I came here.

Ann Cox called; and Sworn. *Ann Cox.*

You are sister to Mr. Bridle?—Yes.

Examined by Mr. Hunt.—Have you received a parcel lately from any prisoner passing through the passage?—I received a note or letter, or something of that sort, from a prisoner in that situation.

Was that wrapped in whity-brown paper, and tied with a string?—I have received two notes from the same woman, I believe one of them had a string round it; I laid them both on the table in the parlour.

Who did you receive them from?—Ann Davis.

Is she a prisoner?—Yes.

What did you lay them on the table for?—For the governor to see them, as they always are.

Were these letters sealed or wafered?—I believe they were, they were not open. Ann Davis said nothing, but "Here's a letter, ma'am;" only, that they are for the governor.

Do you know a woman named Court?—No.

Are you sure that Court did not give you a letter?—I do not recollect; I do'nt know her person.

[*Ann Court brought in.*]

Did that woman give you any letter?—I do not recollect receiving one from her; the women's dresses are so much alike.

Do you recollect receiving one in whity-brown paper, with a string round it?—I before said, I received it.

That note you laid on the table for the governor?—Yes.

Being sealed and wafered, you know nothing of its contents?—No.

Ann Court called in; and Sworn. *Ann Court.*

You are a prisoner in this gaol?—Yes.

Examined by Mr. Hunt.—Do you recollect delivering a parcel to Mrs. Cox in the passage of the governor's house?—Yes.

Was that tied up with a string round it?—It was in whity-brown paper, and tied up; it was something like a letter.

From whom did you receive it?—Sarah Hewit?

How long ago was this?—About a fornight ago, to the best of my knowledge.

Was it a month?—No.

Who did Sarah Hewit tell you to give it to?—She asked me to give that small trifle to Mrs. Cox.

Ann Court. (29 May.)

Did Mrs. Cox say any thing to you?—No; I went on to work in the wash-house.

When you have sent any letters of your own, do you not always give them to the matron?—I have always given mine to the turnkeys, open.

Did you tell Hewit, that you had given it to Mrs. Cox?—Yes.

Ann Davis called in; and Sworn.

Ann Davis.

You are a prisoner in this gaol?—Yes.

Examined by Mr. Hunt.—Can you write?—Yes.

Have you ever written to Mrs. Cox?—No.

Have you ever delivered any letters of your own, or other people's, to her?—No; I never had any occasion.

Have you ever written any letters for Sarah Hewit?—No; I have not spoke ten words to her since I have been in gaol; she is not in my kitchen.

You are quite sure you never delivered any letter to Mrs. Cox?—I never delivered any thing to Mrs. Cox, except clothes that I brought from the laundry. I pack up the linen there and bring it to Mr. Bridle's door.

Are you sure there has never been any letter among thos clothes?—Yes.

Then, if Mrs. Cox should say, that you have given her two letters to be delivered to the governor, would she be telling an untruth?—If I did, they were in the things without my knowledge; I never knew it.

Then, if such letter or parcel was concealed among the clean linen, was it there with or without your knowledge?—I never knew of it.

Mrs. *Cox*, called in again.

Mrs. Cox.

Examined by Mr. Hunt.—Do you know that woman?—Yes.

What is her name?—Ann Davis.

When did she give you the letters you spoke of?—In the passage, as well as I recollect.

Was she passing to or from the laundry?—I believe, to the laundry.

[Mrs. Cox withdrew.

Ann Davis.

Examination of *Ann Davis*, resumed.

Now, do you recollect delivering any letters to Mrs. Cox?—No, I never delivered any letters to Mrs. Cox; I have delivered her things in pocket handkerchiefs.

Did you deliver to Mrs. Cox a parcel in paper rolled up in a pocket handkerchief?—Yes.

From whom did you receive it?—Ann Burton.

Did she tell you it was for the governor?—No.

What was in that parcel?—I do not know.

What did she tell you to do with it?—To give it to Mrs. Cox. I believe that Mrs. Cox has the handkerchief that it was wrapped in.

That what was wrapped in?—I do not know.

You are quite sure that Mrs. Burton did not tell you, or shew you, that it was a letter?—Yes.

Jemima Burton.

Jemima Burton called in; and Sworn.

Are you a prisoner in this gaol?—Yes.

Examined by Mr. Hunt.—How many letters have you sent by Ann Davis, to be given to Mrs. Cox, within a month?—I cannot say; I have sent many.

What correspondence had you with Mrs. Cox?—None.

Who were the letters addressed to?—Mr. Bridle, the governor.

You sent them openly?—I had no occasion to conceal them; they were wrapped in a pocket handkerchief, I sent them by Ann Davis.

Why did you wrap them up?—Merely by accident.

You have frequently sent letters to the governor by the Turnkeys?—I have.

Did you wrap them up?—No.

What caution did you give to Ann Davis with the parcel?—No caution; I told her to give that to Mrs. Cox.

And that you did every time you sent letters by Ann Davis, you wrapped them in a pocket handkerchief?—Yes.

Was it not against the rule of the ward to send letters without the knowledge of the turnkey or matron?—I did not consider it so, because it was to Mr. Bridle.

What was the occasion of your writing to Mr. Bridle?—Except on my own private concerns, it was to communicate to Mr. Bridle any thing I heard in the ward relative to the enquiry then going on. Mr. Bridle never asked me to make those memorandums for him until I first offered to do it.

Since that, he has sent messages to you?—Never; but he has thanked me when I sent my memorandums. I beg pardon, I have had a note from Mr. Bridle; I have it in my pocket; I received it from Mrs. Davis, the matron.

[*The note produced and read.*] " Mr. Bridle is obliged to Mrs. Burton for her good
" wishes, and he hopes *very* soon to see her. Mrs. Burton has not sent Mr. Bridle
" the memorandums she promised, or at least he has not received them.—Monday
" morning."

Was it in answer to that note that you sent the parcel by Ann Davis?—Yes it was.

As you received this note by Mrs. Davis, the matron, why did you not send the answer by the same person?—Because I did not conceive the matron to be Mr. Bridle's friend.

Did you ever send any private letters to Mr. Bridle before the magistrates enquiry was going on?—No.

How many have you sent by Ann Davis privately since?—I cannot say.

A dozen

A dozen times?—No, not half a dozen.

Jemima Burton.

Do you write letters for the prisoners in your ward?—Yes, a great many.

Have you not sent five letters by Ann Davis?—No.

(29 May.)

Nor four?—I cannot say; there may have been three or four.

They were all wrapped in pocket handkerchiefs?—Yes.

Did she bring back the handkerchiefs?—I don't know; I never asked for them. We sleep in the same ward; she might have brought them back.

Examined by the Commissioners.—Did you ever write a letter for Sarah Hewit to Mr. Bridle?—I never did.

Did you send letters to Mr. Bridle by any other person than Ann Davis?—No.

[Adjourned at 1¾ .PM. to 2¾ P.M.

The Commissioners re-assembled at 2¾, P.M.

John Wheeler called in; and Sworn.

John Wheeler.

You are a prisoner in this gaol?—Yes.

How long have you been so?—Twenty-two months, or better.

Examined by Mr. Hunt.—What were you committed for?—Taking a pair of cotton stockings.

What was your sentence?—Two years impriosnment.

How old are you?—Not thirteen years.

What have you been employed in?—I was sentenced to hard labour; I have been employed in weaving in the broad loom.

Can you weave as well as any man in the gaol?—I was apprenticed to it before I came here.

When the gaol was flooded, do you recollect about some onions?—Yes. I was walking through the back yard, with my stockings and shoes off, on account of the flood, going to the boys ward, and saw some onions floating on the water; I picked them up.

How many were there?—Handy upon a quarter of a peck.

What did you do with them?—I carried them into the boys yard, and Harper the constable then at the time came in, and some of the boys told him that we had brought in some onions (George Priddy had taken some in with me), Harper went and told Mr. Bridle that we had stole them. We were taken before Mr. Bridle, and afterwards locked up eight days; we were not taken before any magistrate.

How deep was the water?—Pretty near up to my knees.

Was that the winter before last?—Yes. After being locked up about three days we were taken again before Mr. Bridle, who asked how I was; I told him pretty well, but rather cold. He said I had better confess all about it, saying, that the other boy had confessed, or he should lock me up again; I told him I knew nothing, more than that I picked the onions up; he then ordered Mr. Pike to lock me up again, and I was kept there the remainder of the eight days.

During the time that you were kept in the cell, did Mr. Bridle come to visit you?—No; but he came to release me at the end of the time.

When were you next punished?—I was locked up a fortnight, I do not know how long after the first time.

What was that for?—A boy struck me and I struck him again; I was put in the lodge, and taken before the the magistrates when they came, and they ordered me to be locked up a fortnight. The other boy was forgiven.

Was any thing else done to you than being locked up?—No; but I was kept upon bread and water.

The next occasion upon which you were locked up?—A man in the ward had some sauce-pans broken, I said to some of the prisoners, I thought I knew who had done it, and Ingram whose sauce-pans were broken, knocked at the wicket, and Mr. Pike came in and asked me who had done it; I told him I did not know, but I thought who had done it. Ingram said, I ought to have the cat o'nine tails. I said he could not, nor any one else, give it me without an order from the magistrates; Mr. Pike then took me to Mr. Bridle, and said I had been saucy to him: and then Mr. Bridle ordered me to be locked up. I was locked up, and handcuffs were put on my hands behind me.

How many days and nights were you kept handcuffed with your hands behind you?—Twelve days and twelve nights.

What effect had that upon you?—My wrists were raw all round, and my hands were swelled over the handcuffs.

Did any other prisoners see you in that state?—Yes, several; Samuel Seviour, John Southern, and Parmenias Matthews.

Does Southern work at your loom?—Yes.

Did you see Mr. Bridle while you were there?—Mr. Moody came to the cell in two days with Mr. Bridle; Mr. Moody asked how long I had to stay there; I told him nine months, and he said I ought to be locked up all the time I had to remain here.

Why?—I don't know, only he said I did not look sorry for it.

Did Mr. Bridle request that you should be released?—No; he told Mr. Moody I was before him (Mr. Moody) almost every time he came here.

Was it before or after that, that Mr. Moody said you ought to be locked up the whole time you had to remain here?—Before.

Did Mr. Bridle, or any other person, bring Ingram, or any of those that accused you, before Mr. Moody?—No.

Did Mr. Moody order you back again?—Yes.

J. Wheeler.
(29 May.)

How long did you stay there?—Twelve days after Mr. Moody saw me.

When the handcuffs were taken off, how long did you remain after?—Two days.

How did you feel when the handcuffs were taken off?—In the morning my hands pained me so, that when I put them up to my head I was obliged to let them down again, and when I went to work, a pain catched me in the shoulder that I could not work.

Did you tell it to your fellow-prisoners?—Yes.

Have you felt any ill effects from it since?—Yes, when I go to work I frequently feel a great pain in my shoulders when I push the loom forward.

Have you ever told that to any of the prisoners?—Yes.

During the fourteen days that you were in the cell, did Mr. Bridle ever visit you there?—No.

Were you ever put in the stocks?—Yes.

For what?—I was walking down the passage and one behind me tripped me up. Mr. Davis or Mr. Hobbs said I had been fighting, and Mr. Hobbs ordered me to be put into the stocks.

How long were you kept there?—About a week.

Examined by the Commissioners.—In the day time only?—Yes.

Examination by Mr. Hunt continued.—What time in the morning were you put in them?—About eight o'clock. I was taken out at one to go to dinner, and I was put in at two, and remained till six.

This was continued every day for a week?—Yes.

You were obliged to stand?—Yes.

Could you sit down while in them?—No.

Did Mr. Bridle ever come to look at your work while you were in the stocks?—No.

Was there any seat for you to sit down on?—No.

[*Stocks exhibited, depth of them six inches.*]

Did the governor often come round to the factory?—No; sometimes he came round only once in two months, and sometimes once a week, and for the last twelve months he has not been often round the factory.

Did he often visit you in your ward?—No, unless he was sent for.

When you had your handcuffs on all night, how did you lay down?—On my side.

Were you ever punished or put into the stocks for being saucy to any officer, but the time you speak of?—No.

Were you ever brought before Mr. Moody before that time?—Yes; but only once.

Were you in the same ward with Kew, who was hanged?—Yes.

When was it you were handcuffed with your hands behind you?—About September last.

Cross-examined by Mr. White.—Who came to give you victuals in your cell?—No one, Mr. Pike came and let me down to the other prisoners once a day in the morning.

Who locked you up at night?—Mr. Pike.

Did you show your hands to the magistrates?—No, the handbolts were on me when I was before the magistrates.

Why did you not shew your wrists to the magistrates?—I did not like, because I thought I should be punished then more than I was before.

The magistrates saw your handcuffs on?—Yes.

Do you know the boys, Paw and Bayley, and others in the gaol?—Yes.

How long have they been here?—Paw and Bayley were in the gaol when I came in.

Did you ever hear of those boys being put in solitary confinement, or in the stocks, or handcuffed?—Bayley was put in solitary confinement, but not in the stocks or handcuffed.

How long have you worked at the factory?—Ever since I came here.

While you were at the factory you cannot tell how often Mr. Bridle visited your ward?—No.

Re-examined by Mr. Hunt.—Do you mean Jacob Paw?—Yes.

Do you call him a boy?—He is called so here.

Is he not nearly a man?—Yes.

Do you know any boy except Bayley that has been punished?—Yes, two, Gould and Smith.

Do you know many boys who have not been punished?—No, only two, Holbrook and William Street.

Did you see Curry flogged?—Yes, twice. Dr. Colston ordered him to be flogged once.

How do you know that?—I was present when Doctor Colston ordered him to be flogged.

Who flogged him that time?—Pike.

Who flogged him the other time?—Farr, the executioner, that was for his sentence.

Examined by the Commissioners.—Did Mr. Moody find any fault with your being handcuffed, or say anything about it?—No.

You did not tell him how much you suffered in consequence?—No.

You have often told how much you suffered?—Yes.

And always gave the same account that you now give?—Yes.

Was your account ever taken in writing?—No.

Upon no occasion?—No; only when I was taken before the magistrates here.

And you are quite sure that except here, and when you were before the magistrates, your account was never taken down in writing?—Not without Mr. Hunt took it down in writing.

Did he take it down in writing?—I don't know.

Do

J. Wheeler. (29 May.)

Do you know whether any one took it down for the purpose of presenting a petition to the House of Commons upon it?—Yes, I believe Mr. Hunt did.

You said you have always given the same account that you have now given?—Yes.

Then you gave Mr. Hunt the same account that you have now given us?—Yes.

All this is true on your oath?—Yes.

Was not Mr. Moody present at the time Dr. Colston ordered Curry to be whipped?—Yes, and wanted Dr. Colston to forgive him.

Did Doctor Colston propose to have you whipped?—Yes, when I was taken out of the stocks, Mr. Moody wished to forgive us—Doctor Colston wanted to flog us.

Did you ever make your mark to a petition to be presented to the House of Commons?—Yes.

Was that petition read over to you before you made your mark?—Yes.

Did you understand it when it was read?—Yes.

Can you read?—Yes, a little.

Occurrence Book produced. Tuesday, 26th September, 1820.—Entry. "Put "John Wheeler in handcuffs and solitary confinement, for impertinently answering "the turnkey (who was giving him good advice), that he did not care for being "locked up, or being reported to the governor, &c.; that he knew who broke "Ingram's saucepan, but would not tell."

Monday 2d October, 1820.—Entry. "And that Wheeler be continued." [N.B. An interlineation.]

Saturday, 7th October, 1820.—Entry. "Released Wheeler from handcuffs, and "continued him in his cell." [N.B. No entry appears of his having been kept with his hands behind him.]

John Southern called in; and Sworn.

J. Southern.

You are a prisoner in this gaol?—Yes.

Examined by Mr. Hunt.—Where are you employed?—In the factory.

And Wheeler works in the same loom?—Yes.

Did you see Wheeler after he returned from solitary confinement, and did you see his wrists?—Yes, they were very sore where the handcuffs went round.

Have you heard him complain since from the effects of that confinement?—Yes, he complained of his arms, that he could not work sometimes.

How has Wheeler generally behaved himself?—He behaved very well 'till lately, and he is now apt to go out of the shop.

Does he by that neglect his work?—No, but when he goes out to make water he stays, and I am obliged to fetch him back.

Does he earn as much as any man?—Yes; he does as much work as I do.

How long have you known the loom stopped from his neglecting his work?—Not more than ten minutes at a time.

Have you known the loom stopped for ten days or a fortnight together on account of any other persons neglect?—I have known it stopped a fortnight at a time for want of work.

What were you in want of?—The chain had not been got ready for the loom.

How often did the governor come round the factory to look after your work?—Sometimes oftener than other times; I have known him not to come round for three months together.

How long have you known him come to inspect you in your wards?—I have been there nearly two years, and in that time I can only recollect his coming three times, unless when sent for for anything particular.

What do you mean by any thing particular?—Not letting the shop come to the ward, and therefore we had only bread and water, and we sent for him to ask him to let us have it again.

You consider stopping the shop a punishment?—Yes.

How long have you known the shop stopped at a time?—Not more than a week.

Was the shop stopped by the governor without coming among you to enquire into the cause?—Yes, upon complaint of the turnkeys.

How is the water in your ward?—Sometimes very bad in the morning.

At the times that the shop was stopped, was the milk also stopped?—Every thing was stopped.

Have you ever had reason to complain of the milk?—Yes; some that came in was skim-milk. We complained to Mr. Pike, and he said if we did not like it we should have none.

Were you prevented from having milk on account of having complained of it?—Yes, nearly a fortnight.

Did they charge you the same price for the skim as for the best milk?—Yes, and we had but very little more of it for the money.

Are your clothes never washed?—This jacket has been washed once since it was new; I have worn a pair of stockings eighteen months, and never had a clean pair unless I washed them myself on Sunday, or else in the ward.

Your clothes are sometimes washed?—Yes.

Do you think that you get a fair weight of things from the shop?—We sometimes think we have not got our weight; we have no scales to weigh with: we have told the officers that we thought we had not our weight, but we never complained to the governor about it.

Did you ever know the governor come to ascertain that you had your weight, and to scold the people if they did not give you weight?—No.

J. Southern. (29 May.)

Cross-examined by Mr. White.—Wheeler is now very capable of working?—Yes, he can work as well as I can; but he sometimes complains of his arms now.

You could not weave before you came to the gaol?—No.

You learnt to weave here?—Yes.

When did you know the shop stopped for a week?—A good while ago; I do not recollect the time; it was about a twelvemonth after I came here; I have been here two years.

Has that happened often since you have been here?—No; about twice.

On what occasion was it stopped?—I believe once because a man lost a pudding.

Do you mean one of the shop?—No; a prisoner had a pudding sent him, and it was lost; but he made a noise about it, and part of it was found in the coal-place, and the shop was stopped as a punishment; but the man that stole it was not discovered.

Was the milk ever kept back?—Yes.

How long ago?—I cannot say.

Was any milk brought into the gaol at that time?—Yes.

But not into your ward?—Not into our ward.

Why?—Because, when the shop was stopped, every thing is stopped; and one of the men had complained that it was not good.

You are allowed an apron in your work?—Yes; if we ask for one, we have it.

The business of a weaver is a dirty one; the oil will smell, of course?—Yes, it will.

When Wheeler neglected his work for the ten minutes you speak of, you also stood still?—Yes; one could not work without the other.

When you suspected the weight of the things brought by the shop people, did you communicate to them your suspicions?—Yes; but they said they were weight, and we could not prove it, as we had no scales.

Did not you know of the county scales in the gaol?—Yes; but they would not let us have them in to weigh any thing.

Did you ever apply for them?—I never did; but I think some other men did.

Did you ever know them applied for and refused?—No; we talked of asking for them, but I don't know that they were ever applied for.

Then what made you say that they would not let you have them?—I do not know.

Re-examined by Mr. Hunt.—Have you any reason to suppose that, if you had applied for the county scales, they would have been refused?—I believe they would.

Your work is very oily, and makes your clothes dirty?—Yes.

How many men were in your ward at the time the shop was stopped for a week, on account of the pudding?—I think about thirty.

Examined by the Commissioners.—Who stopped the milk?—Mr. Pike.

In consequence of the milk being stopped, did you apply to any one?—Yes, to Mr. Pike, who said we were not to have any more without further orders from the governor.

Did you apply, on that information, to the governor?—We spoke again to Mr. Pike to apply to the governor for us, and he said then that the governor had given orders that we should have it again, and we accordingly had it.

Why did you not apply to the governor himself?—Because we could not see him.

Did you ever know of any application made to the governor for redress for any thing that the officers had done?—No.

If you want to see the governor, how do you apply?—We write a note, and give it to Mr. Pike, who sends it to the governor.

Was any note given to Mr. Pike, at the time the milk was stopped, desiring to see the governor?—No, I don't think there was.

Then why do you say that you were obliged to apply to Pike, because you could not see the governor?—We did not write a note, but we spoke to Pike.

James Hilliar called in; and Sworn.

J. Hilliar.

Are you a prisoner in this gaol?—Yes.

How long have you been so?—Since last March twelvemonth.

Are you employed in the factory?—Yes, and sometimes outside.

Examined by Mr. Hunt.—What have you been generally employed in doing?—Cutting stone outside the gaol, and assisting in the factory, or doing any thing.

How many times have you been punished since you have been here?—I have been locked up twice.

What was the first time for?—Because I had not got my trowsers cut down on each side.

Was that before trial?—Since trial.

Why were you required to cut your trowsers down?—Because I had double irons on, and could not get the trowsers off at night. I was very bad at the time, and I thought if I cut them I should get a worse cold than I had.

How long were you kept locked up for that?—Two days in solitary confinement.

What was your next punishment for?—Gambling; four of us were playing at hustle-cap.

What sum were you playing for?—A halfpenny each.

You were reported for this?—Penny, the constable, took away the dice, and reported three of us to Pike; he did not report the fourth. Then we were taken out to the lodge, we three.

What time o'day was this?—About a quarter before eight A.M. before work time.

When you got to the lodge, what happened?—We waited there till about ten minutes before eleven; Mr. Bridle was not up till then.

Had you been waiting for him till then?—Yes; Mr. Bridle came out of his house and came

came over to the lodge, and Pike told him that we had been gambling, and he suspended our wages. *J. Hilliar.* (29 May.)

Did Mr. Bridle do this without enquiring of any one who had seen you playing?—Yes; and then ordered us to work.

Penny was not present?—No, nor called out of the yard.

Was Penny confined for theft?—Yes; the same as myself.

Did Penny and you quarrel about this?—Yes; we were sent to work without our breakfast till dinner. When I returned to the ward, I asked Penny why he did not report the other man as well as we three. I told him he ought not to have favoured one more than another, but should have reported all of us. And he swore damnation if he would not report us again, if it was doing again. One word brought on another, and I struck Penny.

Was it a violent blow?—No; but he slipped down in consequence of the nails in his shoes.

Was he injured by the blow?—No; and he afterwards said he was sorry he reported it.

Were you all, upon that, had up before Mr. Bridle?—No; Penny went to the trap and reported it, and Mr. Pike came in and took me to the lodge; and then Mr. Bridle came out to the lodge, and Mr. Pike told him I had struck Penny; and Mr. Bridle ordered me to be double ironed, and to give me only one link between my legs; and I was handcuffed, with a chain from my handcuffs to the irons on my legs. I was ordered to be put into solitary confinement; I was accordingly put into a damp cold cell.

How long were you kept there?—Till the next day; and I was then had down before the visiting magistrates.

Did they have Penny before them and inquire into the complaint?—No.

[The irons worn by witness were now produced, and put upon him.]

How long were you kept in that state?—Nine days and nine nights.

After you had had them on three or four days, were you able to bear them up?—No; I was obliged to stoop down and put my hands upon the ground; and the swelling ran above my elbows.

Were you, on the second day, taken before the magistrates in the state that you are in now (ironed)?—Yes.

Is it painful now?—A little.

Did the magistrates order you back into confinement without hearing any one upon oath against you?—Yes; they only heard what Mr. Bridle said.

What magistrates were they?—Doctor Colston and, I believe, Mr. Thring; there was another gentleman who did not say any thing; I do not know whether he was a magistrate.

When was this?—It was the 13th February last; I was put into confinement on the 12th.

[Occurrence Book and Journal produced, and Entries read.]

Occurrence Book, Monday, 12th February 1821.—"The constable of the time "men's ward complains of James Hilliar, James Johnson, and James Gardner's "making a disturbance in the ward in gambling. Home-made dice are produced "in support of the charge. I ordered that their earnings be suspended till further "orders. On the return of these men from labour to their dinners, Hilliar began "swearing at the constable for giving information against them, giving him at the "same time some violent blows on the head. I put irons and handcuffs on him. "I placed him in solitary confinement."

Occurrence Book, Tuesday, 13th February 1821.—"The Rev. Dr. Colston, John "Thring, esq. and the Rev. J. G. D. Thring, visited and inspected the gaol."

Occurrence Book, Wednesday, 21st February 1821.—"Released James Hilliar from "solitary confinement and handcuffs, and set him to his usual labour in irons, with "his earnings suspended till further orders."

Occurrence Book, Monday, 5th March 1821.—"James Hilliar to be restored, on "similar promises, (to future earnings, on promise to conduct himself more orderly "in future.")

Magistrates Journal, 13th February 1821.—"Ordered, that James Hilliar, at pre-"sent in solitary confinement for misconduct, be not liberated until he manifests "a disposition to reform his conduct.

"*W. H. Colston.* *Jno. Thring.* *J. G. D. Thring.*"

Magistrates Journal, 5th March 1821.—"Ordered wages to be allowed to James "Gardner, and also to James Hilliar. "*W. H Colston.*"

I went to chapel on the next Sunday, holding the chain in my hand. The handcuffs were taken off every morning about an hour. They were worked backwards and forwards, and tugged down, before they could be got off, my hands and wrists were so much swelled.

Did you pull off your breeches all the time; (namely,) from the 12th February to the 5th March?—No; because the double irons were on.

Where you taken to chapel on Sunday?—Yes.

What irons were on you then?—All, except the handcuffs.

Where were you placed?—By the communion table, under the pulpit.

Did you, while there, exhibit your wrists to your fellow-prisoners?—Yes; to several of them.

Where they then swollen?—Thy were red and swelled, and they turned black and blue towards the last.

Did Mr. Bridle ever come up to your cell, during the whole time, to see the state you were in?—No.

J. Hilliar.
(29 May.)

Did you, after being sent back by the magistrates, ask to see any other magistrate?—I asked Pike several times to see Mr. Bridle, to request him to forgive me.

What answer had you from Pike?—Sometimes he laughed at me; one time he told me he would tell Mr. Bridle.

Did you ask to see the magistrates?—I think it was the 21st or 22d I heard from a turnkey, that the magistrates were coming round the gaol, and I asked Mr. Pike to let me see them when they did come, and he said he would when they came.

Did you see the magistrates?—No; when Mr. Pike came up at night I asked him if the magistrates had been there; he said, yes. I asked why they had not come to see me; and Mr. Pike said, the magistrates did not come to the gaol on purpose to settle my business and to see me.

When did they release you from the handcuffs and chain?—I asked Mr. Pike to let me see Mr. Bridle; and he said, now that I applied voluntarily, he would let me down to see him. I was let down that morning. Mr. Bridle came, and forgave me from the handcuffs and chain, and set me to work; and I remained at work outside the gaol, with the irons on, until the 5th March, when I was had before the magistrates and my irons were taken off, and my wages restored.

Were you assisting in digging a well in my ward?—Yes.

Do you recollect my asking you, if you were the man who was so heavily ironed at church last Sunday?—Yes.

Did you relate the circumstance as you have now?—Yes.

Did I ask you if you had any objection to petition the House of Commons upon the subject?—You asked if I was willing.

What was your answer?—I said I would with all my heart, and glad.

Did I bring a paper containing the circumstance, and read it to you in the presence of another prisoner?—Yes.

Did you voluntarily make your mark to it?—Yes.

How often does Mr. Bridle come to inspect your ward?—As near as I can tell, perhaps once in six weeks or a month.

How often have you known him come to see you locked up or unlocked?—Never, unless any of the officers are not in the way; I don't know that I have seen Mr. Bridle in the morning since I have been here.

Had you irons on before trial?—Yes, single ones; I had double irons on once.

Were you tried in irons?—Yes.

Cross-examined by Mr. White.—Did you shew your hands to the magistrates when you were before them?—No, I was not in the room long enough; they might have seen them. Dr. Colston said, if Mr. Bridle had ironed me double what he had, he should not have blamed him, it would make me know better another time how to hit Penny. I was ordered out of the room directly.

You did not offer to show your hands?—No.

You admitted that you had struck Penny?—Yes, and said I would never do so any more if they would please to forgive me.

Did Mr. Bridle say, in the presence of the magistrates, that you had hit Penny?—I don't know; I was ordered out of the room, and they said I should go back until I was penitent.

Penny was knocked down by the violence of the blow, was he not?—He slipped down on the stones in the kitchen, as much from the nails in his shoes as from the blow.

When Pike complained, you promised not to do so again?—I don't remember.

Mr. Bridle merely ordered your wages to be stopped, until you assaulted Penny?—Yes, in the morning, for the gambling.

Were you not released the very first time you shewed any contrition for your conduct?—I applied to Mr. Pike several times, and sometimes he laughed at me; I did not see Mr. Bridle till the last day.

You can't tell whether Mr. Bridle visits your wards in your absence?—But we should have heard it either from the cook or the constable.

You work outside?—I work generally in the factory; I was sick in the ward about four or five weeks together, and during that time I never saw Mr. Bridle come in.

You might have sat on your bedstead in the cell with your irons?—Yes, I could, but it was so cold I could only sit upon the bedstead or on the floor.

Examined by the Commissioners.—How did you manage to perform the offices of nature while you were so ironed?—I could open my breeches to make water, but I was obliged to wait till night, when I was let down, if I wanted to have my breeches down.

How long were you in the room with the magistrates, with your irons on?—Three or four minutes, certainly not five.

Did you apply to have your irons taken off when you were tried?—No.

You made no objection to their being on?—No.

What was you tried for?—Housebreaking.

And received sentence of death?—Yes.

What sentence are you under now?—Eighteen months imprisonment.

How old are you?—Twenty, or twenty-one.

When you were brought to the lodge before the governor came, and had waited there, when he did come, Pike told him that he had brought you for gambling at hustle-cap, and that was true?—Yes; and he produced the dice.

That charge was repeated in your hearing, and was it the truth?—Yes.

You did not deny it?—No.

When

When afterwards you were brought before the magistrates on another occasion, one of them said it would make you know better how to hit Penny, then the magistrate knew that that was the offence for which you were punished?—Yes, but I did not tell him. *J. Hilliar.* (29 May.)

And you did not deny it?—No.

[Adjourned at eight, P. M. until nine to-morrow morning, to assemble at the Castle Inn.

WEDNESDAY, 30th MAY 1821. The Commissioners at the Castle Inn.

Mr. *Edward Coles* called in; and Sworn.

YOU are clerk of the peace for this county?—Yes. *E. Coles.* (30 May.)

[Witness produced a copy of the rules made for the regulation of Ilchester Gaol.]

Have you examined that paper with any book?—I have.

With what book?—The Session Order Book for Michaelmas session 1810; I find it a correct copy of the orders contained in that book; I examined them yesterday.

Do you know, by reference to your books, that any of those orders have been since varied?—Yes.

Can you point out the places in which such variations appear in the books?—Yes, I can.

Refer to them— [Adjourned to the gaol at nine, A. M.

The Commissioners assembled at the gaol.

The Commissioners notified that they have no power to order the expences of witnesses to be paid.

Occurrence Book, Thursday 22d February 1821.—Entry read; "Hester Churchus complains of being insulted by some person confined in the adjoining ward (Hunt's ward) by their peeping through the keyhole of a passage door, and talking improperly to her. Hester Churchus is a debtor, and of the society of Friends. I attended and heard her complaint, but as she could not affirm who the offender was, I could only admonish those in the ward, and prevent their power of peeping through the keyhole by affixing an escutcheon over it."

Read entry of Saturday, 27th January 1821.—"Received Hester Churchus, a debtor at two P. M. There being but one spare ward in the gaol, and that intended for solitary confinement, with one cell only in it, and no ward occupied by female debtors, I put this person in that solitary cell, she having preferred it to that of mixing with female prisoners charged with offences. This person is of the society of Friends. (N. B. The last passage an interlineation).

John Treasure called in; and Sworn.

Are you a prisoner in this gaol?—Yes. *J. Treasure.*

How long have you been here?—Twenty-one weeks come Sunday.

Under a sentence?—Yes, for an assault.

Examined by Mr. Hunt.—Where have you been employed lately?—In a ward next Mr. Hunt's ward.

What was the next ward?—Where a woman did bide.

Were you taken at any time into that ward, by Mr. Bridle to be questioned?—Yes.

Was any other person taken with you?—Yes, Joseph Meer another prisoner.

Were you the only persons remaining in that ward?—Yes.

Was any other person taken with you into the next ward?—No.

What was said to you there?—Mr. Bridle asked how we came to insult this lady; I said I had not insulted the lady, all I had done was to look through the keyhole, and I only said "I see."

Did this lady charge you with having used any improper language to her?—No; Mr. Bridle asked if the lady could tell the words said to her, and she could not.

Did she charge you with using any indecent or improper words to her?—No, she did not.

Well?—Then Mr. Bridle asked if she could tell which of us it was, and she could not.

Examined by the Commissioners—Which ward in the prison is known by the name of Mr. Hunt's ward; the ward in which you are, or that in which Mr. Hunt is?—If I had any thing to carry to Mr. Hunt's ward, I should carry it to that further on.

Did you ever hear the ward that you are in called Mr. Hunt's ward?—No.

What name is your ward known by?—I don't know.

What words did you use through the keyhole?—No others than I said before; I only saw the woman walking in her yard.

Cross-examined by Mr. White.—Has not your ward and Mr. Hunt's ward been thrown into one?—No.

Is there a wall between them?—No.

Is not Mr. Hunt's sitting room in one ward and that in which his servants are the other?—Yes.

You are Mr. Hunt's servant?—Yes.

When Mr. Hunt rings his bell you can instantly go to him?—Yes.

You cook for him, and live in his kitchen?—Yes.

And Mr. Hunt can come into your ward?—Yes.

[Magistrates Journal, 23d September 1820. (As to alterations in Mr. Hunt's ward. The scullery spoken of admitted by Mr. Hunt to be the place where Treasure was.]

Is there an iron chain to the iron bedstead in your ward?—Yes.

Esau Whitcomb called in; and Sworn.

E. Whitcomb. (30 May.)

Are you a prisoner in this gaol?—Yes.

Do you wait upon Mr. Hunt?—Yes.

Examined by Mr. Hunt.—What ward do you live in?—The next ward to you; the ward before I come to your's.

Did Dr. Colston, or the sheriff, lately come to ask you questions about that ward?—Yes.

How long ago was it?—About three weeks.

What question did Dr. Colston ask you?—He asked whose ward that was.

What answer did you make?—That it was our ward where we bided to cook Mr. Hunt's victuals.

Is it one of the refractory wards?—I don't know.

Is there a large iron chain upon one of the bedsteads?—Yes, that I sleep on.

Are not those wards (your's and mine) locked up distinct every Sunday and also every night?—Yes.

Do you and Treasure live in the same ward?—Yes.

How long have you been in this gaol?—Ten months.

Had you your own clothes taken from you when you came here?—Yes.

And county clothes put on?—Yes.

How long have you been kept together without clean stockings?—I have worn one pair four months, and I would not have picked them up in the streets if they were another colour.

Do you remember Warren, and William Burge, and Guard having irons on for something that took place outside the prison?—Yes.

What happened?—It was very cold, and snow on the ground; we all had bad stockings on, and we all desired to see Mr. Bridle. Mr. Davis went in, and Mr. Bridle came out and asked who wanted him; no one spoke. He asked three times, every one was afraid to speak; at last Joseph Brookes (a prisoner) spoke, and said all the men had desired to see Mr. Bridle on account of going in (it was so cold), to go to work at the factory until the weather got warmer.

Who spoke next?—John Hardy; he said he had a very bad cold, and desired to go in to work till the weather got warmer.

Who else spoke?—William Burge and Henry Warren, and shewed stockings very much broke all the way behind; Henry Warren's legs were almost bloody with the cold. Mr. Bridle ordered those two to stand aside, and asked if any more had any thing to say to him. I thought they were going to be sent to the factory, and put down my tools, intending to ask to go there, when Mr. Bridle ordered them to have double irons put on, and then I bid fast.

How many did he order to have double irons on?—Two; and afterwards William Guard, that was the man who said "Let's put down our tools to beat our hands, it's so cold we can't work." He said this before Mr. Bridle came out.

What did Mr. Bridle say to Guard?—It was too bad for me to say. He called him "a damned rascal and a vagabond," and told him he could answer to flog him every day he was here during his time. The man said he hoped not. Mr. Bridle said, "You damned rascal, I don't know whether I won't do it or not." The man said he did not know it was any harm to put down his tools to beat his hands, as the weather was so cold. "Why," said Mr. Bridle, "you damned rascal, if you were on board ship you would be hung." Then he sent him directly to have double irons put on him, the same as the others, and to come out to work in them.

Were double irons put on them, and did they come out to work?—Yes, directly, all three of them had very heavy irons.

What was done to Brooks?—No notice was taken of he, no more than if he had not spoke. Brooks is now out, and lives in Ilchester; he is brother to Brooks, the turnkey.

Joseph Brooks, the prisoner, is he a voter in Ilchester?—Yes.

Are you quite sure he was the first man that spoke to Mr. Bridle?—Yes; he was the first that answered.

What became of Hardy?—He was ordered into the kitchen, and had two flannel waistcoats made for him directly.

When you were working outside with bad stockings, had any of you other bad clothes?—Yes, I had myself; my breeches were torn so as not to be fit to make a mop with, and too bad to mend; if they were mended in one place, they would break in another.

Were many others in the same state?—Yes.

Do you ever see men with prison clothes so bad that their shirts hung down from their breeches?—Yes.

Were you drawn in the yard opposite this house every day, so that Mr. Bridle could see the state you were in?—Yes, twice a day.

If Mr. Bridle had looked out of his window he must have seen you with your breeches torn in the manner you say?—He could not help it, it was fronting his window.

How often, when you were in the time yard, did Mr. Bridle come to inspect your wards?—Never at all.

[Fifth Rule Magistrates Journal read. "The governor shall regularly see that every "part of the gaol is kept clean, shall inspect every part of the gaol daily, when he "shall be there, and take due care that the beds and cells are kept clean and aired."]

How often did Mr. Bridle come to the cells during the ten months that you were there to inspect the beds, and see that the bed clothes were clean?—I never saw him in the cell at all.

How

E. Whitcomb.
(30 May.)

How long have you worn a shirt at one time without washing?—Three weeks and three days.

Did any officer of the gaol come round to see that your feet were washed and persons kept clean?—No, I cannot say there ever did; Mr. Davis used to cry out and say it was a pity and a shame that people should wear such shoes and stockings.

When you were working outside, were there many men working without feet to their stockings?—Yes; two without any feet at all to their stockings.

In consequence of their wanting clean clothes, were many men very dirty and stinking?—Yes, I was; I was one that had no feet to my stockings.

How many of you were in one day-room at that time?—I think forty-three.

Did you ever hear Mr. Bridle make use of similar expressions to those he used to Guard, to other prisoners?—Yes, he has called us "damned vagabonds," when we have been standing in the yard before his house, and told us to stand out of his way.

Have you ever heard the other officers swearing to the prisoners?—I have heard Mr. Pike damn us, and say he would look sharp after us, but not out of any malice.

Had you a fair opportunity of purchasing articles of the shop?—No; the hole is too small.

There are three or four shop people come in?—Yes, four.

Could more than one be served at a time?—No, without putting our hands over one another.

How long did the shop remain, at the time there were forty prisoners?—Not more than five minutes.

Was it frequently the case that the trap door was shut, that you were prevented purchasing what you wanted?—Yes, I have seen it.

Once, or more than once?—More than once or twice; I was once served so myself when I wanted to buy some bacon.

Had you any time then to try the goodness of what you bought before you paid for them?—No; they cried "put through the money, put through the money," as soon as we received the things.

Had you any means of ascertaining the weight of what you bought, bacon, or small quantities of tobacco, or such like?—No; we had only some scales made of old saucepan lids, and some lead.

Did they wait to give you an opportunity of weighing the things with those scales, bad as they were?—No.

Do you believe that you had, at all times, articles of full weight?—No, I don't think we had.

Had you any opportunity of ascertaining that you had better weight in what you bought by stealth at the window of the poor debtors ward, than what you bought of the shop?—Yes; in tobacco that I bought for Joseph Ellison, who went out in March, there was a pipe full more in an ounce.

Were the articles good that came by the shop?—We have had very bad butter, and bacon with maggots in it.

Had you any opportunity of weighing butter?—Now and then we could buy butter when we were down at the factory, but no opportunity of weighing it.

Did you ever know any bad or unwholesome meat brought in?—Yes, fresh pork, that was bought for two shillings and eight-pence, by William Burge, of the butcher, which was measly.

Did the man speak to the butcher about it?—Yes, the next time he came.

What reply did the butcher make to him?—He said he should think a prisoner would be glad to eat any thing.

Were any other articles that you bought of the shop, sugar for instance, not good of their kind?—Sugar, in particular, was very bad always; that we bought at ten-pence a pound; it was very heavy, and like sand.

Examined by the Commissioners.—Was it the general feeling through the prison, that you were properly supplied both as to weight and the quality of the articles which you purchased of the shop?—No.

Did you ever complain to the governor, or to any of the officers under him, that you had not been properly treated in those respects?—No, we were afraid.

Examination by Mr. Hunt resumed.—Afraid of what?—That we should be punished by having our shop stopped.

Were you all supplied with good milk?—No.

Was it very bad?—Yes, more than once; I cannot say many times.

Cross-examined by Mr. White.—How long have you been Mr. Hunt's servant?—Five weeks next Saturday.

Is there not a communication between your ward and Mr. Hunt's?—I can go through a door way in the day time.

Is that door locked every night and Sundays?—Yes, on Sundays only, when we go to chapel.

Mr. Hunt has a bell from his room to yours?—Yes.

And you can answer that bell at any time in the day?—Yes.

Mr. Hunt can come to you at any time in the day?—Yes; there is a free access between the wards.

The iron chain to your bedstead is never used?—No; it has never been used to me.

Brooks's brother was not a turnkey at the time Brooks was here?—No.

Hardy had a cold?—He said so, by standing where it was quite wet under feet.

E. Whitcomb.
(30 May.)

The governor might have inspected your wards in your absence?—Yes; I could not see him there then.

But the officers of the gaol regularly visited the wards?—Yes; Mr. Hobbs came every night to call over names when Mr. Bridle was at home, and he came once a week, at least, to inspect the wards.

Who came every night when Mr. Bridle was out?—The next in command to Mr. Hobbs.

Had you ever any reason to complain of the cells not being cleaned, or the beds aired?—I have laid on a bed, when I first came in, five months, without the straw being changed; it was worn nearly to dust.

Examined by the Commissioners.—Did you complain of it?—I said to Mr. Pike that we wanted fresh beds.

During that five months?—Yes.

When you did speak to Mr. Pike, had you fresh beds?—Not directly; Mr. Pike said we should have them as soon as they could be filled; he said the straw was short, there was none in the tallet.

How long did you ever remain after the application before you had fresh beds?—I think three weeks the time I mention.

Cross-examination by Mr. White resumed.—Would there not be confusion if more than one at a time were served by the shop?—Yes, on account of the hole being so small.

Did you ever know of any complaints being made on account of the smallness of the hole?—No; we were always afraid of the shop being stopped from coming at all.

Do you know that there are county scales kept at the lodge?—Yes.

Do you know that you might have had the use of them, if you had applied?—No; they were never offered to us till within these few weeks. I never saw them used but to one man about bacon.

You never knew till then that you might have had the use of the county scales, if you had applied for them?—No.

How long is that ago?—The scales have been used by the bacon man ever since I have been here.

Examined by the Commissioners.—One man comes expressly to sell bacon?—Yes.

When do you mean that you knew you could have the use of the scales?—I mean that I did not know we could have them until the shop people were sent for by the magistrates into the ward one time, when we were there to dinner, and we have since that been offered the scales.

Cross-examination by Mr. White resumed.—Is there not a messenger goes round twice a day, to take account of what things you want, besides the shop?—Yes.

And in that book is entered an account of the necessaries you want to purchase?—Yes.

Are there not butchers, dairy women, people with fish, vegetables, fruit, and red herrings admitted at other times than with the shop?—Yes; and I saw apples last summer.

Are not those people constantly encouraged to go round with their goods?—I have seen those people; I heard that one woman was refused.

Can you name the butchers who have brought bad meat?—It is a butcher of Ilchester, a stoutish man, I don't know his name.

Do you know of bad meat being brought, except the measly pork?—No.

Did you know of any complaint being made to Mr. Bridle about the measly pork?—It was to Mr. Pike, and he ordered it to be kept till the butcher came again.

Was it kept?—Some of it was, and the rest the man gave away to another man.

Did the butcher make the man any recompence?—He gave him a piece of bacon.

What was that butcher's name?—I don't know.

Does he live in Ilchester?—No, he is a country butcher, and comes with a cart.

Re-examined by Mr. Hunt.—Was a complaint made to the magistrates at the time they were in the ward with the shop people?—Yes, by my cousin, who complained of bad tobacco.

Did the magistrates say that the tobacco was good or bad?—It was shewed to them, and they said it was bad.

Can you have the same things by the messenger with the book as you can buy of the shop?—Yes.

Are these things brought ready weighed?—Yes.

[Scales produced, two pair; one large and one small.]

Are those scales *(large)* the ones brought round with the bacon?—Yes.

Are they fit to weigh half ounces of tobacco?—I should think not.

Have you seen less than half a pound weighed in them?—Yes, quarter of a pound.

Did you ever see those scales brought round with any Ilchester shop person?—Yes, with one person, the bacon man, who is considered among the prisoners as so honest a man, that I would take his word without weighing.

And he is the only person that you have seen the scales brought with?—Yes, till lately.

Is not the ward you are staying in as much separated by a wall twenty feet high from my ward, as any ward in the gaol?—Yes.

Examined by the Commissioners.—Have you ever seen Mr. Hunt peeping through a key-hole?—No.

Any body else?—Yes, Mr. Pike, into our ward from the time yard, to see what the men were doing.

Did you ever see those smaller scales before?—Never before they were brought into the room just now.

Were you ever told there were such scales in the prison?—No.

Were

Were you ever given to understand that there were scales which the prisoners might use other than the large scales?—No. *E. Whitcomb.* (30 May.)

Did the governor ever examine you when you were drawn up in the yard to see if you were clean?—No.

John Chapman called in; and Sworn. *J. Chapman.*

Where do you live?—At West Lidford.

Were you ever a turnkey in this gaol?—Yes.

When?—I was here about four years; I left the situation about eleven years ago.

[Magistrates Journal produced, 10th January, 1811.]

You were here in Scadding's, the late gaoler's time?—Yes.

And when the present gaoler came?—Yes.

How long did you remain here after Mr. Bridle came?—About two years.

Before you left the gaol did you complain of his conduct to the magistrates?—Yes.

Was Philip Avery a turnkey at the same time?—Yes.

Did he join you in making that complaint?—He was asked some questions; I made the complaint.

Was that complaint examined into before the magistrates upon oath?—No.

What complaint did you make?—I complained about a person named Payne, a time man.

[The commissioners decided against entering into this complaint on account of the length of time which has elapsed since it existed.

Mr. Hunt was asked to what cases he wished Chapman to be further examined; He mentioned four, existing in Chapman's time.

The commissioners decided against investigating those cases.]

[Adjourned at 1¾ P.M. for two hours, as to Mr. Hunt's cases.

[Adjourned at 2¾, until 3¾ P.M.

The Commissioners then re-assembled at the Gaol.

The commissioners resolved to recommend that necessary witnesses be paid their expenses.

The commissioners again mentioned their determination not to investigate those complaints against Mr. Bridle, which have been decided upon by a competent tribunal.

Mr. *Edward Coles,* again Sworn. *Mr. E. Coles.*

You are clerk of the peace for the county Somerset?—I am.

How long have you been so?—Since Easter session, 1810.

Have you any vouchers here?—No.

Samuel Hobbs called in; and Sworn. *S. Hobbs.*

Where do you live?—At Yeovil.

Was you ever employed in or about this gaol?—Yes.

What as?—I was employed first as a messenger to go to assizes and sessions, and afterwards as a servant to Mr. Bridle in his house, and to go as usual with the prisoners to assizes and sessions, and with convicts.

Examined by Mr. Hunt.—What time did you come into the service in the house, and how long did you stay?—June 29th, 1818, and remained until the 9th March 1819.

Did you look after Mr. Bridle's horse?—Yes.

Did you any time after you left the service, apply to any magistrate to state some complaints?—Yes, I did.

Was it complaints against the governor of the gaol?—Yes.

Was this complaint made to Mr. Whalley?—Yes.

Was any day appointed for the investigation of them?—Mr. Whalley said I must be handy on the day the magistrates met next.

Did any investigation take place?—I was never before the magistrates upon it. I misunderstood Mr. Whalley and was not called upon.

Did any prisoner assist you in taking care of the horse?—Yes, several.

During the time you were here, do you know of any county straw being used for littering down the horse?—Yes, I used it always.

In fact, was there any straw brought in except the county straw, and used for littering the horse or the pigs?—No, no other straw was put there.

Were you employed to fetch groceries and other things for the sick?—Yes, when I was at home.

Where did you fetch them from?—Mr. Ryal's, in Northover.

In what way did you carry the order?—I carried a written order.

Have you any memorandums of those orders?—I gave them to the clerk of the peace when I was here.

Have you none of them?—Yes, one in my pocket book. [Read, "October 13th, 1818. "One pound of butter, half pound of tea." "17th October 1818. Four gallons of "vinegar, from Morgan's, in Ilchester."]

What was the vinegar ordered for?—For pickling walnuts and used for that.

Who was it set down to?—The county.

Was any of that vinegar used for the prisoners?—I don't know whether any part of it that was left was so used.

It was got in for pickling walnuts?—Yes, and used for that directly.

S. Hobbs.
(30 May.)

What sort of orders did you carry for the groceries?—It was written down what I was to bring, and under "for the sick."

Were these orders for tea, sugar, spice, butter, coffee and rice?—Yes.

And written under, "for the sick?"—Yes.

Were those things used for the sick?—Some of them were; but they were used greatly in the house.

Used by the family of Mr. Bridle, and by yourself, as well as the servants?—Yes.

How was the tea made for the prisoners when it was ordered for them?—It was used first in the parlour, then more water put to it in the kitchen; and after being used there, more water was put to it, and then sent up for the sick.

Was that the way that sick prisoners generally or always had their tea?—Mostly so; but once, I remember, that we had fresh tea in the kitchen before Mr. Bridle was up, and it was sent to the prisoners after we had done with it.

Were any complaints ever made, by those who carried the tea to the prisoners, of its being bad?—Yes; I heard Mr. Treganza say, that the prisoners had complained of the tea, and had thrown it under the grate.

Did you ever hear Treganza complain of it, that it was not fit tea for the prisoners?—Yes; I heard him say, that it was bad, and they could not drink it for want of sugar; this was when there was no sugar allowed for the tea. He said a man named Hill was actually dying for want of tea, and he did die afterwards.

Did you fetch candles for the prison?—Yes; from Ryal's

How were they charged?—To the county.

Were those candles used for the prisoners or for the house?—For the house.

Were any other candles than those bought for the use of the house while you were there?—Not common candles.

Was there a great quantity of soap had in for the county and kept in the house?—Yes; and kept in my bed-room.

Was that soap used by the servants for the service of the house, as well as for the county, during the whole time you were there?—Yes.

Did you know of any other soap being kept in the house by Mr. Bridle but county soap?—I knew of no other soap.

Was there any considerable quantities of oatmeal grits had in for the county while you were there?—Yes.

Did the family use the same grits?—Yes; when they were wanted.

Did Mr. Bridle keep any other grits?—I knew of none but the county grits.

Were they used in any other way than for the sick?—Yes; to fatten fowls.

Were the fowls used by Mr. Bridle's family?—Yes.

Did you ever fetch any wine?—I fetched a good deal; some from the Castle (Mr. Stainers), and some from the Swan (Thomas's), in Ilchester.

In what quantities did you fetch it?—The first time one bottle, and two bottles at a time afterwards.

Do you know how this wine was used?—A little of it for the sick, and the rest in the house, as it appeared to me, some I carried into the parlour and some into the larder.

Was this the case all the time you were there?—Yes.

You saw the tea, the sugar, and other things, and partook of them as a servant in the house?—Yes.

Had Mr. Bridle any wine of his own at this time?—Yes; a great quantity always.

Did you ever know of the prisoners who were sick complaining of wanting other necessaries, such as broth and meat?—Yes; there was a man who had been ordered broth by the doctor, and could not get it. I heard Mr. Treganza say to Mr. Bridle, that the man was going out in a few days, and would complain of Mr. Bridle for it.

Did you ever know of Mr. Bridle's family borrowing county coal?—Yes; one time I believe it was ten hundred.

Do you know of that coal being repaid?—I don't know whether it was or not.

While you were in the house, three-quarters of a year, when did Mr. Bridle rise in the morning?—Very late, most in general very late.

How late?—Ten or eleven o'clock.

Was he in the habit of keeping late hours?—Yes; very often till twelve or one o'clock, and once till day-light.

Did you ever know of drunken parties in the house?—Yes; often.

Have you seen him often tipsey in the gaol?—Yes; sometimes.

Do you remember a person named Pester being here very drunk?—Yes; Mr. Pester is a very respectable gentleman.

How drunk have you seen Mr. Pester in the house?—He was lying back on the sofa when I and Mr. Treganza were called in to help him home.

Did Mr. Bridle make any observation?—Mr. Pester had made water on the sofa, and Mr. Bridle catched some of it in a jug and glass; I heard Mr. Bridle tell Mr. Treganza so; I saw it in the glass.

Did Mr. Bridle appear affected at Mr. Pester's situation?—No; he laughed heartily when he told Mr. Treganza of it.

Do you remember Mr. Maynard being here tipsey?—Yes; he was very tipsey, and fell against the bannisters, and had like to have fallen over going down from here. Treganza catched hold of him, and prevented him from falling over.

Was

Was Mr. Bridle in the habit of swearing in the hearing of you and the officers?—Yes; very much. *S. Hobbs.* (30 May.)

Has he often, in your hearing, made use of oaths in and out of the gaol when on duty?—Yes.

Did he swear outrageously?—Yes; such as "damned infernal rascal"—"damn your infernal soul," and such words. I never had so much abuse from any other man in my life, as I had from Mr. Bridle while I was here.

Has he often done this in the presence and hearing of the prisoners?—Yes; and in the presence of convicts and the turnkeys in Fisherton gaol.

Any where else, when you have been upon duty?—Yes; at Wells, in the presence of the guard, and the prisoners could not help hearing it, it was very near the windows.

Did any band come into the gaol while you were here?—Yes; an electioneering band.

When was that?—Between June 1818 and March 1819.

Was there any dancing?—No.

Who was the maid-servant in the house?—Sarah Hewit, most part of the time I was here.

Was Sarah Hewit turned out of the house for being in the family way?—Yes.

Was there large quantities of meat brought in for the sick while you were here?—Yes, sometimes fifty or sixty pounds.

Where was it placed?—Some of it was placed in the larder and some in the dairy, and small pieces were left out for the sick.

Have you ever known any of that meat used in the house?—Yes; I have known the best end of a neck of mutton, brought in for the sick, used in the family, and the rest sent to the sick to make their broth.

How late have you known the gaol doors kept open for Mr. Bridle?—Once till daylight, and often till twelve or one o'clock.

Was Treganza the officer of the gate at that time?—Yes.

Did he ever make any observation about it?—Yes; he has been very angry about it, and has threatened to shut the doors.

[Adjourned at 7 P. M. until nine to-morrow morning.

THURSDAY, 31st MAY 1821.

The Commissioners assembled at the Gaol at 9 A. M.

Samuel Hobbs again called in; and Re-sworn.

Examined by Mr. Hunt.—Why did you leave Mr. Bridle's service?—I don't know; Mr. Bridle discharged me when we had a dispute about a settlement of accounts. *S. Hobbs.* (31 May.)

What accounts were they?—Mr. Bridle refused to allow me my expenses when I was out at assizes and sessions and with convicts.

What was your bargain with him?—Twenty pounds a year.

What were you to do for that?—To be a servant in the house, and to attend assizes and sessions and with convicts, and any thing else I might be wanted for.

Did you understand that you were to be allowed your expenses?—I was to have my expenses, and Mr. Bridle was to take what was allowed by the county.

What was allowed by the county?—I had seven shillings and sixpence a day when I was employed, before I was hired by the year.

Did Mr. Bridle take that seven shillings and sixpence and maintain you?—That was the agreement.

When you came to a settlement, did he refuse to allow you your expenses?—Yes; that was what we disagreed about.

Were you discharged in consequence?—I was discharged at that time.

After being discharged, did you take any measures to recover what was due to you?—Yes, about five pounds was due to me.

What did you do?—I sent the account, with a note, to Mr. Bridle.

What was the substance of the note?—It was, "Sir:—As I am forbid entering your "prison, I take the liberty to write to you, hoping you will prevent further trouble, by "sending to me the balance of my account, or I shall this day have recourse to other "means; and you may depend, if you do not, I shall do something very unpleasant and "disadvantageous to you."—I believe that was all.

Who did you send it by?—My daughter, inclosed in a note to Treganza to desire him to take it to the house.

In consequence of this, what was done?—Mr. Bridle sent up my brother (the taskmaster) that evening, desiring an explanation, and to say that he would come on terms with me to settle it.

Did any explanation take place?—No; I sent back word that I should make no explanation, but should insist upon my bargain, and would settle it in no other way; that I considered myself very ill treated, not only in the account, but by being instantly discharged without any notice.

Did you, in consequence of this, get your money?—Yes; I got five pounds the next day, and four pounds fourteen shillings some time after, being all that was due to me. The dispute was about five pounds.

Who used to give you the orders to carry to the shops for things?—Mrs. Bridle.

Who gave you orders to fetch wine?—Mr. Bridle the first time, and afterwards, I believe, mostly Mrs. Bridle.

S. Hobbs. (31 May.)

Did Mrs. Bridle give you general orders about the house in the presence of Mr. Bridle as well as in his absence?—Yes.

Were persons in the habit of sleeping in the house when you were here; Mr. Bridle's visitors?—Yes; young Maynard slept in the house nearly a month at a time, and young Rees two or three days at a time, several times; Mr. Webber was here some months together.

Mrs. Lamb?—Yes; she was here a week at a time, or more.

Miss Murless?—Yes; she was here several weeks or months.

Do you mean several months together?—Yes; but she has been away a day or two together.

Where did all these visitors have their linen washed?—I have seen them carry it, and give it to the women at the laundry.

Did you ever know any of the visitors linen carried out to be washed in the town?—No.

Do you ever remember fetching any other things for the county?—Yes; mugs and basons, from Morgan's in Ilchester, on the county account.

How do you know it was on the county account?—Maria Hobbs went with me, and she ordered them to be set down to the county.

What kind of ware was it?—One was a large blue-print toast mug (about a quart).

Was that ever used for the county?—Never while I was here.

What was it used for?—The parlour.

Did you remark it so as to know it again?—Yes; I turned it up, and made three marks in the bottom of it with my knife.

Have you ever seen that mug since?—Yes, the last time I was here before the magistrates, about a fortnight ago, less than a month.

Did you state the same circumstance before the magistrates as you have now?—Yes.

Where did you see it?—It was in the pantry, where the glass and china is kept, turned up on one of the shelves; I shewed it to the magistrates.

Was the pantry where you found the mug used for keeping the things for the sick, or for Mr. Bridle's family?—For Mr. Bridle's family; the best of the things were kept there.

Cross-examined by Mr. White.—How was it that, after you did not attend the magistrates meeting, as desired by Mr. Whalley, that you did not attend another meeting of the magistrates?—I thought I had offended Mr. Whalley, and therefore did not apply to him afterwards; but I was determined, if ever there was an enquiry, I would come forward.

Then did Mr. Whalley shew any signs of displeasure when you communicated to him?—No, not at all.

But, on the contrary, particularly desired you to be handy?—Yes, he did.

Then what made you afraid to apply again to Mr. Whalley?—Because I did not attend in the prison; I was at William Whittle's house in the town, and I told Mr. Whalley I should be there; I thought Mr. Whalley would be offended, because I did not attend at the prison.

You knew that other magistrates attended often as visiting magistrates?—Yes.

How was it you did not apply on those occasions?—I cannot say, I did not like to attend except there was an occasion on purpose like this.

Did prisoners assist you in cleaning Mr. Bridle's horse by his orders?—Yes, he told me to get a man at any time.

This was after their regular working hours?—Sometimes a man was out after that time.

Were they not rewarded for working after their regular time?—Sometimes men who assisted in the house had their victuals.

You mean prisoners?—Yes.

The place where Mr. Bridle's horse and gig were kept, is on the gaol ground in front of the gate?—Yes.

Where the prisoners work cutting stones?—They have worked there since I have been gone.

Did they not go there every morning to take out the soil of the gaol while you were here?—Yes, some of them did.

The straw when it has been used in the beds, is the perquisite of Mr. Bridle, is it not?—I don't know, but I suppose it is.

Are there not great quantities of straw after it has been used in the beds?—It is not worthy to be called straw, it is dust; from some beds it is longish sometimes.

Is it not generally more than sufficient for the use of the stable?—No, not half sufficient.

Then you have known more than was used for the horse?—A little that was long was taken for the horse, but it was not ever enough to supply the bed for the horse.

Do you know that the straw taken for the horse from the county straw, was not replaced by Mr. Bridle?—I am certain it was not.

Was it ever weighed for the purpose of being replaced?—I never knew an instance of its being weighed. It was taken just as it was wanted for the horse and the pigs too.

You took copies of the orders you took to the shops for the sick?—I did take a few copies.

Did you begin this practice soon after you came into Mr. Bridle's service?—Yes, I did, as soon as I saw how things were carried on.

What was your reason for doing so?—I thought it a great injustice, and from a feeling I had for the distresses of the people that were wanting these things.

But you never communicated these grievances till after you had been dismissed from Mr. Bridle's service?—No, except it was privately, I had a reason, I never mentioned it to

a magistrate

S. Hobbs.
(31 May.)

a magistrate, I intended to let it run to the end of the second quarter, when I knew the bills had been given in to the magistrates, and then I intended to make it known by some means or other.

At the end of that quarter, did you communicate it?—Yes, it was nearly the end of that quarter that I communicated it to Mr. Whalley. It was after I was turned away.

What was your reason of concealing it from that time to this, upwards of two years?—I have not concealed it from the public; I made it as public as I could, but I have not communicated it to a magistrate.

The vinegar was purchased the 17th October; was that the season for pickling walnuts?—It was bought and used for that purpose, I don't know how long they had been kept in the house.

I believe very large quantities of vinegar were used at that time in the gaol?—No, there was not.

Had there not been a fever in the gaol?—No, there was now and then one sick of the fever; there was two at a time sick for some time together.

You have known the rooms sprinkled with vinegar?—No, not while I was here.

You were at Lymington, a village about a mile off, when the sick were removed there on account of the fever?—Yes.

Were not considerable quantities of vinegar used there?—Yes, sometimes.

Sprinkling the rooms?—Yes; sometimes for sprinkling the rooms.

Washing the prisoners faces?—I don't know that any was used for that.

You said that when you were in Mr. Bridle's house, the county things were used by you and the other servants in Mr. Bridle's family?—Yes.

Was Mr. Bridle privy to this fraud of yours upon the county?—He must have seen it, he saw us use them, and he used them himself.

How do you know that the tea used in the parlour, and afterwards in the kitchen, and then sent for the use of the prisoners, was tea purchased for the county?—When it was wanted for the parlour I went for it with an order for the sick.

Then on those occasions you staid in the parlour to see that tea made?—No, not at all.

Then how do you know that that was the tea that was sent to you for the sick?—I understood that there was no tea in the parlour, and was then sent for tea, and therefore that must be that tea, and coffee the same; Mrs. Bridle has told me in the morning there was none, and therefore she must send for some, and mistress has given me some of the coffee to grind for the morning breakfast.

Did you never order any tea for the private use of the family, while you were here?—I recollect one pound, I think it was in the fore part of the time I was here.

Did you buy all the soap that was used in the gaol?—No.

Did you buy any?—No; I have gone with a verbal order to William Whittle's, to tell him to bring the soap that was ordered for the county.

There were large quantities of soap brought from other places than Ilchester?—I believe the county soap came from Mr. Say, of Wells.

Can you undertake to say that all the soap brought from Mr. Say's, was for the county?—There might be a small quantity for the house, I cannot say, but all the soap that was used with my knowledge was taken from the place were the county soap was kept, from the same boxes.

You have seen more boxes than one of soap in the same place at the same time?—Yes.

Some of those might be for the use of the family, and some for the county, might they not?—No; when one box has been empty, another has been used, 'till there was no soap there 'till a fresh supply has been brought in.

When you brought in wine for the sick, you say you took some of it to the parlour?—Yes.

Can you undertake to say that a drop of that wine was drank in the parlour?—I never saw it drunk there, but empty bottles have been brought out.

Might not the wine from those bottles have been taken to the prisoners without your knowledge?—I don't think it could; it was not that time o'day.

Was it your province to take the wine to the prisoners?—No, it was not. I mean to say when I was present: in my absence I could know nothing about it.

You have been absent a week at a time at the assizes and sessions?—Yes.

And you have been absent with convicts?—Yes, for a few days at a time.

When at home, have you accompanied the persons who took the wine to the prisoners?—I have, out of curiosity to see the people.

You say Mr. Bridle kept late hours, and did not get up till late in the morning?—Yes.

On those occasions the officers were at their posts?—Yes.

And you doing your duty, of course?—Yes.

Did you ever know of Mr. Pester being so beastly drunk as he was on the occasion you mentioned?—No, I never saw him here but once or twice before, and then he made but little stay. I never saw or heard that he was overtaken with liquor, but that time; and always heard that he was a very different man.

Mr. Bridle was from home when Mr. Pester came in on that occasion?—I believe he was; I am certain he was.

Did you ever know of Mr. Maynard's being drunk here, before the time you spoke of his falling against the banisters?—No.

Or since?—No.

S. Hobbs.
(31 May.)

Do you recollect the occasion that Mr. Pester was here?—When there was a party, as a guest.

Or that Mr. Maynard was here?—As a guest, I believe, with a party.

These were the friends of Mr. Bridle?—Yes; they visited him as friends.

You don't know that they drank the county wine on those occasions?—Oh! no Sir; I can't say that.

Were the affairs of the gaol worse conducted when those gentlemen were here than at other times?—It was late before we got Mr. Pester out.

Was Mr. Maynard late?—He staid all night; I believe he slept in the gaol.

You complained of being turned off without notice?—Yes.

But you had a month's wages for being turned off?—No; not a farthing.

Do you recollect the price of the jug in which you cut the notches?—I think it was two shillings, but I may be mistaken in that.

When you came to attend the meeting that Mr. Whalley desired you, were you not at work on the opposite side of the river?—There, and at William Whittle's garden; but I did not go to the field, so that I might be handy.

When you were living here you had no business to be in the kitchen but at meals?—Oh! yes.

Your business, in general, was out of doors?—I had a good deal to do in the house.

But was it not often out of doors?—Yes, in the middle of the day; not regularly, but only occasionally.

All the washing for the governor, and all the officers and their families is done in the laundry?—Yes.

At the expense of the county?—Yes.

Had you any business in any part of the gaol?—Not unless I was sent.

Besides your travelling expenses that Mr. Bridle allowed you when you went to assizes and sessions, and with convicts, Mr. Bridle hired a man to perform your duty in your absence?—No; but I got William Whittle to do the milking for me.

Re-examined by Mr. Hunt.—Who did your work in the house in your absence?—The prisoners, I believe; I have found them doing it when I have come home.

Were prisoners, as well male as female, very frequently employed in doing work for the family in the house?—Yes.

Had all those prisoners the county allowance?—Yes; and bread was brought to the woman who was serving regularly in the house too.

Did you ever see the prisoners employed to take out the ashes and dirt outside the gate without an officer being with them?—No.

Was the man that assisted in the stable attended by an officer?—No.

You know that the walnuts were pickled about the 17th October?—Yes; but how long they had been kept in salt and water I don't know.

Do you know whether the vinegar was used for the family, or whether any part of it was used for the prisoners?—I never knew of its being used for the prisoners but once, and that was for a man that was sick of a fever. My brother came in for it, and warmed it, and took it away, and he had Mrs. Bridle's sponge for the purpose.

You were one of the guards, as they are called, that attended the sick people at Lymington?—Yes.

Do you recollect being sent from Lymington for any thing for the sick?—I remember being sent very often for medicine and provisions.

You were then a servant to the county?—Yes; not to Mr. Bridle.

Did you always, when you applied for those things, get what things you were sent for, or were you employed about any thing else?—I recollect once being sent by Mr. Bridle to the hayfield.

When you came for things for the sick persons?—Yes; I don't recollect whether I came for medicine or provisions; Mr. Bridle said, "Never mind that, I have something else for you to do."

What did he say?—He told me to go and help carry the hay, and not come home till it was all carried.

Did you stay there till the evening?—Yes.

What time did you come from Lymington?—I don't recollect; it was after dinner, about *nunch* time, between three or four o'clock.

When did you finish carrying the hay?—About eight o'clock.

Did you afterwards carry the things that you came for, for the sick people?—I don't recollect, I dare say I did, but I don't remember any thing about that.

Did Mr. Bridle pay you any thing for this?—No.

How do you know that the pound of tea you say you fetched for the house, was not put down for the sick?—Because it was ordered for Mrs. Bridle.

Did you, and the rest of Mr. Bridle's family, use the soap out of the same box that it was taken from for the county?—Yes, always.

Was Mr. Maynard the only person that was drunk at the time you mention?—I don't recollect any of the party being drunk but Mr. Maynard; it was early when he was drunk.

Do you know whether Mr. Bridle knew of the accident that had like to have befallen Mr. Maynard by falling over the banisters?—Treganza told him next day.

When Mr. Whalley told you to be handy, at the time of the magistrates meeting, had you been, before that, working for Whittle at a distance from the town?—Yes, more than a mile.

Did

Did any of the officers of the gaol know that you were at Whittle's?—Yes, I believe so, my brother came in the yard and saw me there in the morning. *S. Hobbs.* (31 May.)

Did you remain there all day, and expect to be called?—Yes.

Examined by the Commissioners.—How came you to know that the vinegar you fetched from Morgan's, was bought for the sick?—Mrs. Morgan's mother was very particular in knowing who it was for, and I could not tell her, as they had not told me, and I came back to know, and brought the vinegar with me, and Mrs. Bridle said it was no odds that Morgan could not write, then I could not return an answer; a boy then came from Morgan's, and Mrs. Bridle took him into the parlour, and I went and waited in the lodge till he came out, to know; he told me it was for the county.

What was the reason you did not complain of this, when you say you made it as public as you could?—I wished it to be brought forward by some other person than myself; I thought it would appear vindictive; besides, I did not like to speak again to Mr. Whalley, nor to go to another magistrate, after speaking to him first, and I knew he was angry with me.

What was he angry for?—For not attending.

What prevented you from not attending?—A foolish misunderstanding of mine; Mr. Whalley told me to be handy; I told him I should be at William Whittle's, and he said, I must be handy there, or at the gaol, I don't know which; he thought I should be in the lodge, and sent for me there.

How do you know he was angry?—I was told so by one of my children, who was told it by a neighbour.

Did you think that a sufficient reason for not mentioning it other than by speaking of it in public?—I thought that by doing that I should be brought forward, and it would not appear so much vindictive.

How long since is it that you were to have attended the magistrates?—I believe it is two years.

Have you ever had occasion to go to Mr. Whalley on any business since?—No; but I have seen him when he has been passing.

Can you say whether the things that you came for, for the sick, at the time Mr. Bridle sent you to the hayfield, found their way there any time that day?—I cannot say, I believe not; I was the only messenger at Lymington.

When you came for those things, was it immediately upon mentioning it to Mr. Bridle that he said he had something for you to do in the hayfield?—Yes, it was; he said he had something else for me to do.

What are you now?—a labourer.

Where do you live?—At Yeovil, five miles off.

Do you know the name of the boy that came from Morgan's?—No; but I think I met him in the street about a fortnight ago.

Had you any of the liquor provided for the work people in the hayfield?—Yes; and bread and cheese.

Jane Hobbs called in; and Sworn. *Jane Hobbs.*

What is your husband's name?—Matthew Hobbs.

Where do you live?—Ilchester.

What office did you hold in this prison?—Matron.

What office did your husband hold?—Taskmaster.

How long have you quitted that situation?—Three months, I believe.

Did your husband commence his office at the same time?—No three months before.

How long had you held the office of matron?—Four years and three quarters.

Did your husband leave his employment at the same time that you did?—Yes.

Examined by Mr. Hunt.—Where did you get the things for the sick?—For the first three years from Mr. Bridle's.

Where did the turnkeys get such things for the male prisoners that were sick?—From the same.

In consequence of any thing that happened about two years since, was the serving articles for the sick taken from Mr. Bridle and placed in other hands?—Yes; in consequence of a complaint to the magistrates it was put into our hands; that is, mine and my husband's.

How long did you continue to serve out meat and other necessaries for the sick?—About a twelve month; we had the ordering as well as the serving out.

At any time was that altered?—Yes; after that, Mr. Bridle had the ordering and we had the serving up, to the time of our leaving.

During the latter part of that time, when the doctor ordered any thing for the sick, could you get it without difficulty?—Sometimes, not for two or three days after they were ordered.

Why?—Because we could not get an order from Mr. Bridle.

Did this frequently happen?—Sometimes once in a fortnight or three weeks.

During the time that your husband ordered the meat, did he attend to its being weighed at the butcher's?—Always, when he ordered it himself.

While you had the serving those things out, how much wine has passed through your hands?—Never but one bottle.

Who was that for?—Sarah Lawrence.

Is an order put down in the surgeon's book before the sick can receive any thing?—Yes.

Have you ever known your husband go more than once to obtain these things?—Yes; he has gone two or three times, and has said Mr. Bridle was busy and could not attend to it.

Jane Hobbs.
(31 May.)

Have you ever known the sick in great want, and complain of not having what was ordered by the doctor?—Yes; and they have complained to me because I did not get the things for them.

What butcher did you have the meat from?—James Culliver.

Who served you with tea and grocery?—Morgan.

Had Mrs. Ryal left off keeping a shop?—I believe she had.

Was it Hobbs's business to look over the bills every quarter to see that they were cast up right?—Yes.

Did he have all the bills?—I believe he did not. I heard him say, he had not Say's bill.

When the sick were served from Mr. Bridle's house, could you at all times get the things for them then?—No, I could not.

Have you ever known the sick prisoners in want of common necessaries that you could not get for them?—Yes.

Have you ever complained loudly in the house, of the difficulty you had in getting those things when you were ordered by the doctor?—Yes, I have.

Who was the officer that carried out the necessaries for the male sick?—Treganza, the turnkey.

Have you heard him complain, that he could not get necessaries for the sick that had been ordered by the doctor?—Yes, I have.

At the time Samuel Hobbs was living here, who served out the tea and other things from Mr. Bridle's house?—Sarah Hewit, the servant at that time.

Who was the female servant in Mr. Bridle's house before Sarah Hewit?—Sarah Lawrence, a prisoner.

What was the occasion of her leaving the house?—Because she was in the family-way.

Was she delivered in the gaol?—Yes.

How long had Sarah Lawrence been in the gaol before she was delivered of that child?—I think more than a twelve month.

In consequence of her being found with child, was she placed in the ward under your care?—Yes.

Was Sarah Hewit in a similar way, and sent away from the house on that account?—Yes.

Was she placed under your care afterwards in your ward?—Yes.

Was she delivered in the gaol?—Yes.

Has Hewit's child been kept ever since at the county expense?—Yes.

Was Lawrence's child, as long as she remained in the gaol, kept at the county expense?—Yes.

That you knew of, was there any examination before the magistrates to ascertain the fathers of those children?—I never knew of any.

Was Sarah Hewit the person entrusted by Mr. Bridle to serve out the articles that were wanted for the sick?—Sometimes Mrs. Bridle, sometimes Sarah Hewit, and sometimes my daughter, who was there; but I believe Sarah Hewit generally served out the things. My daughter is Mrs. Bridle's niece.

Do you recollect the particular occasion of Sarah Hewit's being sent down, and the things she wore in the house being changed for the prison dress?—Mrs. Bridle told me she should send her down to me, as I was confined, by telling her I wanted her; and I was to put her on the county dress, as she wanted to get her out of the house. When she came, I told her to put on a prison dress that I had by the fire; but she refused until she could see her master, as, she said, she was sure it was not his wish that she should put it on again.

Did she make any effort to see her master?—She went down stairs, but my husband met her and brought her back again.

Did she call him by any name than her master?—No.

It was by a stratagem that she was got down?—Yes; I put her into Hobbs's care to get her into the ward.

Was it usual for Mr. Bridle to remove the prisoners from one part of the gaol to another by stratagem or by force?—I never knew that there was any difficulty in any other case than that.

Was a woman prisoner allowed to act as a servant to you before that time?—Yes.

Do you recollect, when Hobbs was casting up the county bills for the sick, Dr. Bryer, the surgeon, coming in and making an observation?—Yes, I do.

[Adjourned at five minutes before 1 P.M. till five minutes before 2 P.M.

The Commissioners re-assembled at five minutes before 2 P.M.

Jane Hobbs called in; and Re-sworn.

Examination by Mr. Hunt resumed.—You and your husband were dismissed by the magistrates?—Yes.

Did you understand at the time what you were dismissed for?—No; I did not at the time.

Did your husband inform you afterwards?—Yes.

What have you understood since it was for?—Mr. Goodford, the magistrate, told me, that it was through Mr. Bridle's making a complaint against us to the magistrates.

Have you seen Mr. Bridle, to have any conversation with him, since you left the gaol?—I have.

When?—Before Mr. Goodford informed me of the cause of our dismissal.

Did you then say any thing to him about his complaint against you?—I told him I considered he was the greatest enemy I had.

Did

Jane Hobbs.
(31 May.)

Did you tell him why you thought so?—I told him he was the cause of getting me turned out of my situation with my children into the street.

Did he say he had made any complaint to the magistrates?—He told me he had not made any complaints to the magistrates, and was not the cause of my being turned out.

Were you examined before the magistrates at the time you were dismissed?—Yes; they asked whether Mrs. Badcock's washing was done in the laundry; I told them yes.

What do you now understand to have been the cause of your dismissal?—For allowing Mrs. Badcock's linen to be washed in the laundry, and for me and my husband knowing that Mrs. Bridle had company in the house in the absence of Mr. Bridle, without informing Mr. Bridle or the magistrates of it.

Had Mrs. Badcock, whose name before was Lamb, been often visiting Mr. and Mrs Bridle, when Mrs. Lamb?—Yes, four or five months at a time.

During the whole of that time had she the whole of her clothes washed in the laundry?—She had.

Has Miss Murless been staying in the house any time as a visitor?—Yes, the greater part of a year and a half, but sometimes she was a month or two away.

Was her father a debtor at that time in the gaol?—Yes.

Was Mr. Bridle, during the whole of the time you were here, frequently in the habit of having visitors staying sleeping in the house?—Yes.

And during the whole of that time had those visitors the whole of their clothes washed in the laundry?—Yes.

And this you understood was a complaint made by Mr. Bridle to those magistrates for not having informed him of this?—Yes.

At the time, or have you now the least reason to believe that Mr. Bridle did not know of it?—No, I believe he did know of it; I had not the least reason to doubt it.

Have you ever known the linen sent to the laundry privately?—Never.

Was it or was it not sent with Mr. Bridle's clothes, and returned with them openly?—Yes; it was sent with Mr. Bridle's clothes and returned with them in general.

Have you ever known orders publicly given by Mrs. Lamb to the women in the passage, about her linen, in the hearing of Mr. Bridle?—Yes.

Did you understand that part of the charge against your husband was for getting drunk in the gaol?—Yes.

Was there any other charge against you or your husband?—No.

Did you ever know Mrs. Bridle have different people to visit her in Mr. Bridle's absence than when he was present?—No, they were the same people.

Had you ever known of card playing in the house when Mr. Kinnear, a prisoner, was present?—Yes.

When Mr. Bridle has been at home, as well as when he has been out?—Yes.

Have you known parties in the house drinking so as to be tipsey?—Yes.

Was that when Mr. Bridle was at home?—Yes.

Do you know of any parties getting drunk when Mr. Bridle was out?—No; I have known card parties, but not drinking parties.

Have you known your husband to be drunk in the gaol?—Yes, I have.

Have you known him so much so as to be guilty of swearing, or to be incapable of doing his duty?—No.

Has he ever had the example of seeing his superior officer drunk?—I have seen the governor drunk in the gaol, my husband has been present at the time.

Have you ever known bands of music coming into the gaol from the town?—Yes; more than two or three times.

Have you seen dancing with that music in the back yard, in front of the laundry?—Yes; when a club came in with music.

Has Mr. Bridle been always at home when this happened?—Yes.

Did the governor ever make one of the party dancing?—Yes.

Have you seen him more than once?—Yes; in the back yard and in the front yard; he danced with my servant in the back yard.

Examined by the Commissioners.—Was she a prisoner?—No.

Examination by Mr. Hunt continued.—Have you often heard him swear in the gaol?—Yes; a great many times.

Have you ever known him from negligence keep any of the prisoners in gaol after their time was up?—Yes; I believe there was one or two; I know there was one that ought to have been discharged in the morning; Mr. Bridle told me at night that she ought to have been discharged in the morning, and desired me to give her her clothes, and let her sleep in the gaol that night, as she had so far to go home; her name was Ann Crocker.

When prisoners were to be discharged, were you prepared to let them have their clothes to go away as soon as the gaol was open in the morning?—I had the care of the clothes, and they were dressed the first thing in the morning, and waited at the lodge until Mr. Bridle saw them; we were not allowed to discharge them without Mr. Bridle's seeing them.

Has it frequently happened that the women have been kept waiting several hours in the morning after the gaol was open, before they could see the governor?—Yes, till ten or eleven o'clock.

Examined by the Commissioners—What time was the gaol open in the morning?—At six o'clock.

Examination by Mr. Hunt resumed.—They had to dress themselves after that?—Yes.

[Occurrence Book, Tuesday 24th October, 1820, read. "Discharged Ann Denman, "her sentence being expired." (N. B. The above is the last entry in the day, an interlineation.]

Jane Hobbs. (31 May.)

Did you ever know a prisoner discharged in the evening, whose sentence expired in the middle of the night?—Yes.

Did that happen in Mr. Bridle's absence?—Yes.

Was it a man named Franks?—Yes.

Did he get this by the indulgence of a visiting magistrate who was present?—Yes.

Was that magistrate Mr. Moody?—Yes.

Did Mr. Bridle return that evening?—No, in the middle of the following day.

Did your husband, who was in command of the gaol communicate this circumstance to Mr. Bridle?—Yes.

What did Mr. Bridle say on that occasion?—He swore very bitterly, and said he wished the man had committed murder that night, and that my husband and Mr. Moody might be pulled up for it.

Do you remember a prisoner named Helyer escaping?—Yes.

Was that a regular time man?—He was a felon under irons for trial.

Had he the gaol dress on when he went?—Yes.

Do you know whether he was taken out to work for the county?—He was a cooper by trade, and was taken out to repair some casks for Mr. Bridle.

During the last summer were the men in the gaol badly off for stockings?—Yes, very badly off.

Had your husband, as taskmaster, the power of getting the stockings made, or was he obliged to apply to Mr. Bridle about it?—He was obliged to apply to Mr. Bridle to order what the men were to do. (N.B. The witness explained that the scarcity of stockings arose because the men were employed in making things for sale instead of spinning the worsted for the use of the gaol.)

Have you heard Sarah Hewit say any thing about Mr. Bridle about the time of her lying-in?—I have heard her say she should like to see her dear master.

Did you ever hear her speak of any other man in the gaol in that affectionate manner?—No.

There are two female wards?—Yes.

Were the prisoners indiscriminately intermingled in each ward?—Yes.

Was it the practice of placing women for the most trifling offences with others for the greatest crimes together in each ward?—Yes.

Were all the women obliged to wear the gaol dress, and to work?—Yes; all but debtor women.

While you were there, were any female debtors placed with women for felonies and convicts?—Yes.

Were women made to sleep together, those for the smallest offences and with those for the highest crimes?—Yes.

Was this the case during the whole time that you were here, whether the gaol was full or empty?—Yes.

Would it not have been practicable to have placed the women for minor offences in one yard, and those for greater offences in the other yard, and kept them separate?—Yes, sometimes; but not when the gaol was very full.

Why could it not have been done at all times?—Because there are not as many cells in one yard as the other.

Have you ever had more than sixteen female convicts in confinement at one time?—No.

Could you not have placed eight for the most atrocious offences in one yard?—We generally put women and children there together.

How many bedsteads are in the smallest female ward?—Eight.

Then you could always have placed eight persons for the most atrocious offences and kept them separate in that ward, if the governor had pleased?—Yes.

Cross-examined by Mr. White.—Mrs. Bridle is your sister, I believe?—Yes.

Did you make the complaints respecting not being able to get the things for the doctor to the magistrates when they came?—No.

When Sarah Hewit delivered out the things for the sick persons, she was servant to Mrs. Bridle?—Yes.

And would not deliver the articles without the order of Mrs. Bridle?—Sometimes she went to Mrs. Bridle, and sometimes when I went to Mrs. Bridle she ordered Sarah Hewit to get them ready for me when I called for them.

It was Mrs. Bridle's stratagem to get Sarah Hewit to your house to be discharged?—I believe it was between Mr. and Mrs. Bridle, Mrs. Bridle told me so.

When you told Mr. Bridle that he had got you and your husband discharged, how did you know that?—My husband told me.

Did you ever know of any other prisoner, except Mr. Kinnear, playing at cards in the house?—I don't remember any other.

He lived in the house during the former part of his imprisonment?—Yes.

A man of gentlemanly conduct?—Yes.

Not in a station of life likely to injure by playing cards with Mr. Bridle?—Not that I know of.

Do you recollect the time of the day that the bands were in the gaol?—I recollect the evening, afternoon, and morning.

Jane Hobbs.
(31 May.)

At what hour in the morning?—Between ten and eleven.
At what hour in the afternoon?—About two.
At what hour in the evening?—A little after six.
Summer or winter?—Summer.
Is Mr. Bridle a member of the society that one of those bands came with?—I don't know.
Did they come here as a compliment to Mr. Bridle, or to make a riot and disturbance in the gaol?—As a compliment to Mr. Bridle, I suppose.
You say Helyer was employed to repair casks for Mr. Bridle?—Yes.
But he escaped on a Sunday?—I believe it was Sunday morning.
Was it not Monday morning?—I don't know whether it was Sunday or Monday morning, but I believe it was understood to have been on Monday morning.
Had he been repairing casks on Sunday?—I suppose not.
It was your husband's duty to superintend the locking up?—It was; and he called over the names.
How do you know Helyer worked at repairing casks for Mr. Bridle?—I have seen him.
At whose instance was the serving articles for the sick removed from Mr. Bridle to you?—By order of session.
Your daughter as well as Sarah Hewit, had the charge of delivering out articles for the sick?—Sometimes.
Have you ever heard any one mentioned as the reputed father of Sarah Lawrence's child?—Yes; I have heard her say it was Thomas Palmer.
Examined by the Commissioners.—Who is Thomas Palmer?—He is a carpenter in Ilchester at this time.
Was he a prisoner?—Yes.
Cross-examination by Mr. White resumed.—Did Palmer tell you that he was employed in putting up bedsteads in the house?—No, I saw him putting them up in the house.
Were you not charged with taking in needle-work and linen to wash in the gaol?—I was not charged with it, and I never knew of any being taken in.
Then you don't know of any things of this sort being found in the laundry by Mr. Bridle?—No.
Nor of your bringing persons into the house to tell fortunes?—No; I never knew that the women had done so until Mr. Bridle himself told me since I was discharged.
Was not one of the causes of your husband's being discharged, his keeping the gaol doors open late at night to let out the company that had been entertained at the house in Mr. Bridle's absence?—I don't know, indeed.
Have you never said to some of the female prisoners that you wished the black son of a bitch was out of the way, that you might have some fun?—Never.
Have not you had much private needle-work done in the laundry?—Yes, some for myself.
It was done by the prisoners?—Yes.
Do you know that to have been one of the charges against you?—I don't know.
Has Mr. Bridle's house been in the same order, and the same hours observed in his absence, as well as when he was present?—I don't know but it was the same.
I believe that your husband has acted as turnkey to let company out from the house late at night in the governor's absence?—I have heard him say he did two nights.
Did you ever know your husband act as turnkey when Mr. Bridle was at home after he was taskmaster?—Yes; to let people out after the turnkeys were tired of sitting up.
On what occasion was that?—When there has been company at the house; it was at the time that Treganza was the regular turnkey.
Was your husband supplied as taskmaster with a list of the prisoners, and when their sentences expired?—I don't know, I never saw any.
Did he not pay them for their labour, and discharge them?—He did.
How did he know when to do it if he had no list?—He applied to Mr. Bridle.
But in Mr. Bridle's absence?—He could then get at the documents in the office.
Is it not the practice to allow the prisoners their breakfast in the gaol before they are discharged?—They mostly took their bread, and preferred going to an alehouse to get beer. They might have their breakfast if they pleased.
Your husband had the sole direction of their labour as the taskmaster?—I believe he had.
Is it not an indulgence to let the prisoners work when they come in, and against their inclinations to be kept from work?—I don't think it is against their inclinations to be kept from work, many of them go very reluctantly to work before their trial.
The women are intermingled in the laundry at their labour in the day time?—Yes.
If women for light offences were kept in one ward, would not the others be intermingled together in the other ward?—Yes.
Re-examined by Mr. Hunt.—Did not you consider it sufficient to complain to the governor respecting the articles for the sick, without complaining to the magistrates?—Certainly I did.
You have seen more than three bands of music in the gaol?—Yes.
At other times than those you mentioned?—Yes.
It turned out amusement for the prisoners and officers to see the governor dance?—Yes.
Would it not have been very extraordinary to have seen prisoners working on Sunday?—I have seen washing on Sunday, but then it was on a particular occasion.

Jane Hobbs.
(31 May.)

Have the prisoners never been employed making bedsteads for Mr. Bridle on Sunday, out of the county wood?—I never knew of any bedsteads made for the governor out of county wood.

Did you ever know any woman telling fortunes in the prison?—I have known Mrs. Bridle come down to our house of an evening in my kitchen, and have her fortune told by Mrs. Burton, a prisoner. I let her into my kitchen as Mrs. Bridle said she wanted to speak to her.

Your husband never set any prisoners to work without the order of the governor?—No.

Did the prisoners who worked outside the gate, building the wall, act under the orders of your husband?—No, of Mr. Bridle.

Have you known many female prisoners made to work before trial, who, on their trial, have been acquitted?—Yes, a great many.

Examined by the Commissioners.—What do you mean by Helyer's being taken out to work?—He was taken from the felons yard, and put into the time yard; the prison was open at that time and building going on, with scaffolding and ropes laying about, that was the cause of his escape.

You say some of the women are compelled reluctantly to work?—Yes.

What wages have they?—Nine-pence a week.

Do they have the same before as after trial?—Yes.

Do the women who work before trial receive the county allowance?—They all receive the same bread, and one penny a day.

Many of those women go to work reluctantly?—Yes.

When women, before trial, refused to go to work, how did you compel them?—I reported them to Mr. Bridle, who said if they would not work they should not have the county allowance; and then they went to work.

Did you ever know any women, before trial, actually punished for refusing to work?—No.

When you made a noise in the house about the articles for the sick, did the governor know of it?—Yes.

Were you not examined before the magistrates before you were dismissed?—I was called in, and they asked me if I knew that Mrs. Badcock's clothes were washed in the wash-house; I told them I did. They then asked, if the visitors clothes were washed in the laundry; I told them they were. Then they asked my husband, if he had sat up, in Mr. Bridle's absence, to let out visitors; and whether he had seen company in the house when Mr. Bridle was at home; and he said he had. And they asked, whether there was any company in the house when Mr. Bridle was from home; and he answered there was. We were called in again, in the afternoon, and dismissed.

Do you remember the children of Hewit and Lawrence being baptized in the gaol?—They were not while I was here. Hewit's child, I believe, was never named.

Were you here in August 1819?—Yes.

Was there a female prisoner here, at that time, of the name of Jane Long?—I don't know the time she was here, but I remember her being here.

Had she a child with her?—She was delivered in the gaol.

How long had she been here then?—About eight months.

[Occurrence Book produced.—Entry of 18th of August 1819 read.]

Do you remember those children having been baptized?—They were privately named in my room; I sent for Mr. Evers, because the children were ill.

While you were matron, were any female prisoners with infants placed in solitary confinement?—I know of two, with sucking children, placed in solitary confinement.

At that time, had not the turnkeys access to those women, and not you?—They had.

Do you know whether Helyer was re-taken?—Yes, he was.

Jeremiah Hodges called in; and Sworn.

J. Hodges.

Are you a prisoner in this gaol?—Yes.

What was your sentence?—Two years and five months imprisonment.

How long have you been here?—Two years and two months last Sunday.

Examined by Mr. Hunt.—Are you a carpenter?—Yes.

A master carpenter before you came?—Yes.

Have you acted as foreman in the shop?—Yes; part of the time I have been here.

What wages have you?—Two shillings a week; one shilling I receive, and one shilling is funded.

Were you sentenced to hard labour?—No; I work voluntarily.

Have you frequently been employed doing private work for Mr. Bridle in the house?—Yes, several times.

Were you and any other carpenter ever employed making a sofa in this room?—Yes, with a man named Hallet.

How long were you and Hallet employed making the sofa?—Better than three or four weeks.

Was that made out of county wood?—Yes.

At what sum would you estimate the value of the labour of making it, and the wood?—Six or seven pounds.

Is that the sofa that stands in the room adjoining this?—Yes.

What wood is it made of?—Some part beech and some sycamore wood.

Have you ever been employed in making tables that are used in Mr. Bridle's house?—Yes.

In painting Mr. Bridle's gig?—I helped at it, with another prisoner.

Are

J. Hodges.
(31 May.)

Are you in one of the time wards?—Yes.

How is the water in your ward, generally?—Very bad.

Has it been so ever since you have been here?—Yes.

In what way is it bad?—It stinks; when I came here first, I could not drink it at all.

Is it in that way all day, or only at particular times?—Not always; sometimes it is quite red.

Have you complained frequently about it?—Yes, I have.

Who did you complain to?—The officers of the ward.

Did you ever complain to the magistrates?—No.

Why?—I don't know; we complained to the officer, and he said he would make it known to Mr. Bridle.

What was your reason for not complaining to the magistrates?—We did not like to speak to them.

For what reason?—I was afraid I should be corrected for it.

Have you ever seen or known any men in your ward, when they have complained to the magistrates, corrected for it?—Yes.

Have you ever known Mr. Bridle interfere to prevent your making complaints to the magistrates?—Yes.

In what way?—I have known, when the men who have had their wages stopped, have applied to the magistrates to have them on again, Mr. Bridle has took the words out of their mouths and stopped their speaking.

Do you mean by that, that he has prevented the men from telling their own story to the magistrates?—Yes.

Is that the only reason that has prevented you from complaining to the magistrates about the water?—When we speak of things of that sort, Mr. Bridle takes the words out of our mouths, and makes it worse than it is.

When you first came here, did you make a complaint about the bread being bad?—Yes.

Were you, soon after making that complaint, locked up in solitary confinement?—Yes; about a fortnight afterwards.

Was it for any thing else, or was it on account of making that complaint about the bread, that you was locked up?—I think it was about the bread; I don't know that I had done any thing else to be locked up for.

What was the reason assigned for locking you up?—They said it was for persuading the men not to have the bread.

[Occurrence Book, Friday, July 9th, 1819, read:—" Put Jeremiah Hodges in solitary " confinement for making use of very improper language in the time-men's ward, " saying he should not ask the justices, nor the governor, if the men were all of his mind, &c."]

What day were you locked up?—Thursday, the day of the gaol sessions.

Examined by the Commissioners.—Are you sure it was on that day?—Yes.

Examination by Mr. Hunt resumed.

[Occurrence Book, Gaol Sessions, was on Thursday, 8th July, 1819, but a committee of magistrates assembled at the gaol on the 9th, to receive the rules.]

How long did you continue in solitary confinement?—Till the Monday following.

Have you frequently known of your shop goods being stopped?—Yes, twice.

How long at a time?—About a week the first time, and three or four days the last.

If one man commits an offence, and it's not found out, are all punished by having the shop stopped?—Yes.

Relate how it was?—Two men were flinging water at each other, and Mr. Bridle said he saw them out of the window, and he did not know who it was; and at dinner time, as we were coming in from work, Mr. Bridle came out and stopped us all, and asked who it was flinging water in the ward; and no person made him any answer at all. He said, if some of us did not tell him, he'd stop the shop; then we went into the ward, and no person ever told him; and after we were in the ward, we requested the men that flung the water, to go and tell who it was; so they did, and went and told, and then it was too late; the shop was stopped.

Had those men any other punishment enforced upon them?—I believe they had their wages stopped, but I am not quite certain.

How many were there in your ward at that time?—Perhaps thirty.

Did you work the whole of that week without any thing but bread and water?—Yes.

How often did Mr. Bridle come to the carpenter's shop to inspect your work and tools, and things of that sort?—I never knew him come to see whether it was done well or not.

Does he ever interfere about your work?—No.

How often does he come round to inspect you in your wards, and to inspect the beds?—I don't know that I ever saw him come round to inspect at all.

How often have you known him inspect your bed room?—I never saw him there.

Have you been working a good deal about the house, painting, and so on?—Yes, a good deal.

Have you ever known, while you were working in the house, female prisoners working in the same part of the house, at the same time?—Yes.

How lately have you known that?—Last winter.

What were you doing?—Taking down the bed furniture, and they were helping me.

Have you ever known, while you were in the house, working, that you have been in one room, with a female prisoner, and another man has been, with another female prisoner, in another room?—Yes.

J. Hodges.
(31 May.)

How long is that ago?—Last summer.

Have you seen, when you have been in the house, women working in the house?—Yes.

How long did you go without a clean pair of stockings, last summer?—Eleven weeks, without being washed at all.

Was that the case with many prisoners?—Yes; a good many were obliged to wear their stockings a long time.

Have you known many in a filthy dirty state, in consequence of that?—Yes, and I have been so myself.

Had you any other means of getting a clean pair of stockings, than washing them yourself, and going without any while they were drying?—No.

Do you remember, when you had your stockings drying, being sent for by Mr. Bridle, and going before him without any?—I had the stockings in my hand, and went before Mr. Bridle; I was not allowed to wash them, if it was known.

Did you go into Mr. Bridle's room?—I went into his back kitchen.

Without any stockings on?—Yes.

Did he say any thing to you about your being in that state?—No.

Do you remember Mr. Bridle saying any thing to you about your clothes being wet?—Yes; we had been white-washing, and the rain came in and wetted us, and I took off my jacket and waistcoat to dry them at the fire; Mr. Bridle came into the ward, and the men were obliged to fall out of the ward; I did not come out so quick as the rest, and I was corrected for it.

What language did Mr. Bridle use on that occasion?—I told Mr. Bridle I was wet, which made me not so quick in coming out as the rest. He called me a damned vagabond.

What else?—I don't know that he said any thing else to me. He saw a man, a taylor, sitting on the board near the window; he asked who it was, if he was a devil he was to come out.

Have you frequently heard Mr. Bridle swear, on other occasions, to the prisoners?—Yes.

Do you remember Hibberd, a man with one leg, being executed over the lodge?—Yes.

Were you appointed to be on the lodge to attend the execution?—Yes.

What happened on that occasion?—The man was giddy when he was on the drop, and he could not stand, owing to having but one leg.

Was any thing got for him to sit on?—Yes, a stool and a hassock.

What then happened?—When the cap was put over his face, he said, he was giddy, he should fall, and called for Mr. Bridle who was upon the lodge at the time, and Mr. Bridle said, "Damn the man, I have no patience with him."

Has it been a general practice for men to sleep with boys since you have been here?—Yes.

Has that been always known to the officers of the gaol?—Yes.

Do you remember two little boys sent in here for a month for stealing apples?—Yes.

Were they placed in the same ward with you?—No, in the opposite yard.

Were there men convicted of felony in that ward?—Yes.

Cross-examined by Mr. White.—When Mr. Bridle interfered and prevented your making your complaints to the magistrates, what have the magistrates said on those occasions?—They have said nothing to us.

Have they not checked Mr. Bridle for interposing?—Not in my hearing.

If they had seen that you were prevented from telling your stories, they would have checked him?—I don't know whether they did or not.

Was it not the taskmaster's business to inspect your work, and to see that it was properly done?—Yes.

You are absent from your bedroom in the day-time?—Yes.

The governor might have inspected it then?—Yes, the bedroom.

Who gave you orders to make the sofa?—Mrs. Bridle.

Had Hobbs the taskmaster any thing to do with it?—He knew I was making it.

Did Mr. Bridle know any thing of it?—I don't know that he did while I was making it.

If Mr. Bridle employed you to do any little thing, did not he always find the materials for you?—I don't know that I ever did above one job for him.

What was that?—The bottom part of a bedstead.

Who found the materials for that?—Mr. Bridle bought the wood himself.

Did Mr. Bridle ever advise you not to complain of the bread?—He always told us to complain of it.

And did he not tell you that the contract was for standard wheaten bread?—Yes, the best.

Did he not say to you that it was his wish that you should have good bread?—Yes.

Did he not tell you that it was your duty to complain, and on all occasions he would attend to it?—Yes.

Is it not necessary that to preserve order and protect the quiet and well-disposed, that some should be punished?—Yes; but not for what they are generally punished for.

Have you ever complained of your companions ill-treating you?—I think I have once.

Was that complaint attended to?—Yes.

Does not Mr. Bridle frequently visit your workshop to see what you are doing?—Sometimes once in a fortnight or three weeks, and sometimes not so often.

Who employed you and the women to take down the bed furniture?—Mrs. Bridle.

Who brought you up stairs?—Mrs. Bridle sent after me.

Who superintended you while you were here?—No person.

When there has been a good supply of stockings, have you known a man to keep a pair and to wash them himself, because he would not run the risk of getting a bad pair?—Yes.

Don't

J. Hodges.
(31 May.)

Don't you remember Mr. Bridle running to Hibberd to support him at considerable risk to himself?—I don't recollect it.

When Mr. Bridle made the expression you mention, was he near enough to the culprit that he could hear what he said?—No, I don't think he could hear.

Have not the boys occupied the boys ward at all times when there was room for them?—I have known boys there.

Re-examined by Mr. Hunt.—If Mr. Bridle had inspected you at your work while you were employed making the sofa, once a week or fortnight, he would have seen what you were working at?—Yes.

Have you any reason to believe that Mr. Bridle knew since that you made the sofa?—Yes, he knew it since.

Mr. Bridle always told you to complain of the bread when it was bad?—Yes.

And the first time you complained of it, you were locked up in solitary confinement?—Yes.

Examined by the Commissioners.—Did Mr. Bridle tell you what kind of bread the contract was for?—The best wheaten flour.

Was the bread always made of the best wheaten flour?—No.

You say you never did but one job for Mr. Bridle; do you mean that he ordered you to do but one?—Yes.

What was that?—About the bedstead.

From whom had you the other orders?—From Mrs. Bridle.

When the shop was stopped for a week, what did you mean by saying that the two men confessing was too late to save it from being stopped?—The order for stopping it was written down in the book, and it continued stopped for a week.

While you were making the sofa, were you directed, in case Mr. Bridle came into the shop, to conceal it from him?—I don't think I was; he was not at home when I began it.

[Adjourned at 7 P.M. till 9 A.M. to-morrow.

FRIDAY, 1st JUNE 1821, 9 A.M. The Commissioners re-assembled at the Gaol.

Elizabeth Cox called in; and Sworn.

Elizabeth Cox.
(1 June.)

ARE you married?—No.

Where do you live?—At present at Lymington, near Ilchester.

Examined by Mr. Hunt.—Is Mrs. Hobbs your aunt?—Yes.

Do you remember being her servant in the gaol, about two or three years back?—Yes.

While you were there, did the Young Man's Club come into the gaol, with a band and flags?—Yes; one flag, a great drum, and other music.

Did they go into the back court, in the front of the women's laundry?—Yes.

Was there a country dance there?—Yes.

Did you dance?—Yes.

Who were the other young women that danced?—One was Maria Hobbs, my cousin; and Sarah Hewit, a prisoner; and Jane Culliford (afterwards George Bridle's wife).

Was Mr. Bridle, the governor, one of the party, and did he dance?—Yes.

And Mr. George Bridle, the turnkey?—Yes.

And other gentlemen?—Yes.

Who was your partner?—Mr. Burnel, of Yeovil.

Were there several country dances?—I think there were more than one; I cannot say how many.

Did a great number of persons come in at that time?—Yes, a great many.

Are you quite sure Mr. Bridle saw all the persons there?—Yes; Mr. Bridle called the dance.

Do you remember whether Mr. Bridle called Sarah Hewit to come and join in the dance?—Yes.

Where was she when he called her?—Up-stairs, in the house.

Was plenty of liquor handed to the party to drink if they liked?—Yes.

Cross-examined by Mr. White.—Mrs. Hobbs is Mrs. Bridle's sister?—Yes.

Do you know whether Mr. Bridle was a member of the club that came in?—I believe he was, but I am not certain.

The place where they danced is a part of the gaol appropriated to Mr. Bridle?—Yes.

What time of day did this happen?—I think in the afternoon.

Was it in summer time?—About this time of the year.

What time do you think it was?—Perhaps between five and six o'clock.

How long did they stay here?—I think nearly an hour, if not more.

Is not the club in the habit of staying opposite the houses of other respectable persons in the place, as a matter of compliment to them?—Yes.

Have you any reason to suppose that this band was introduced in the gaol for the purpose of annoying the prisoners?—No.

What is Mr. Burnel, of Yeovil?—He keeps a linen-draper's shop.

Is he a respectable person?—Yes.

Sarah Hewit, at the time you alluded to, was a servant at Mr. Bridle's house?—Yes.

Will you positively undertake to swear that Sarah Hewit joined in that dance?—Yes.

Examined by the Commissioners.—You are quite sure of it?—Yes; I was living in the house with my aunt at the time.

Elizabeth Cox (1 June.)

Cross-examination by Mr. White resumed.—Will you swear that Mr Bridle was present when she danced?—Yes; I am quite sure he was.

Examined by the Commissioners.—Were the female prisoners in the laundry at the time of the dance?—I believe they were, but I am not certain.

Was there any other female prisoner except Sarah Hewit present?—I don't believe there was.

Was any man-prisoner present?—No; I don't believe there was.

John Chapman called in; and Sworn.

J. Chapman.

Where do you live?—At West Lidford.

Were you formerly an officer in this prison?—Yes; a turnkey.

When did you leave that situation?—Ten years last Christmas.

How long were you an officer in the gaol?—About four years; about two years before Mr. Bridle, and two years after.

Examined by Mr. Hunt.—While you were in the gaol, were the debtors wards in the same state that they are now?—I don't know how they are now; there were then two, the upper and lower, on the right hand as I came in.

During the first two years that you were here, before Mr. Bridle came, were the debtors locked into their bed-rooms all night, or was the outer door only locked?—They were not locked into their bed-rooms; they could go to any part of the building, but could not get to the yard without being let out.

In case of illness, could the attendants of sick men go to the kitchen in the night?—Yes.

By day, was any key turned upon them, except that at the outer lodge?—No.

During the first two years, did any debtor escape in consequence of that liberty?—No.

During that time, could the debtors wives see their husbands in private?—Yes.

Could they (the debtors) at that time purchase reasonable quantities of beer?—The debtors were allowed to purchase a pint at breakfast, dinner, and supper; and the other prisoners a pint of beer a day, if they had money to purchase it with.

At that time, could their friends give them beer in the conversation-room?—There was no conversation-room; their wives and children could bring beer to them in the kitchen without stint.

At that time, could they have milk more than once a day?—Yes; night and morning, when the people milked.

How soon after Mr. Bridle came was any alteration made, with regard to the debtors seeing their wives?—Soon after.

While you were here, were there any interior walls?—They were raising the outside walls. There was but one yard for both description of debtors.

Were any of the inside walls built then?—The parting walls were began to be erected before Mr. Bridle came. The lodge was began soon after I came.

Do you mean, that the cross walls leading down to my ward were began before Mr. Bridle came?—I believe some of them were.

Before these cross walls were built, did you ever know of any bad fever in the gaol?—No. During the time that you were here, was it the practice for the governor to punish prisoners, by putting them in irons, and by beating them?—Yes.

Examined by the Commissioners.—What governor do you mean?—Mr. Bridle; I never saw any person beat by the former governor, but I have known them put in irons.

Examination by Mr. Hunt resumed.—Have you ever seen Mr. Bridle beat any prisoners when in irons with a large stick?—Yes; two.

So as to make them ill?—Yes.

So ill as to be put under the care of the Doctor?—Yes; one of them.

Have you ever seen Mr. Bridle horsewhip a prisoner, when ironed and handcuffed, until the blood ran from him?—Yes; when handcuffed with a figure of eight.

Had either of these men been employed by the governor about his own private work?—The first I spoke of (his name was Panes) had gone out to the river, on Sunday morning, to get water for the flowers in front of the governor's house.

What happened in consequence of that?—He tried to escape when he was out.

Who employed him to get that water?—I cannot particularly say.

Who was turnkey in the lodge?—I was; and the other turnkey went out with him.

Were prisoners in the habit of being employed in that way in Mr. Bridle's time on Sundays?—Yes; when it was a dry time, on Sundays as well as other days.

Was this prisoner caught and brought back?—Yes; he ran about half a mile.

What took place then?—Mr. Bridle came down to the lodge, when he was brought back, and took a blackthorn stick, and beat the man with it.

How did he beat him?—He beat him with one hand and held him with the other. I said, "don't, Mr. Bridle, you'll kill him;" "damn him," said he, "I ha'nt half beat him."

After you had interposed for the man, did he continue to beat him for some time?—Yes.

What was done with him then?—He was put into the boys ward, behind the time yard.

Was he ironed?—He had a chain, and a clog of wood upon his leg.

Any thing else?—No.

Was he, in consequence of this, obliged to be attended by the surgeon?—Yes, by Mr. Bryer, the present surgeon.

What illness had he?—I saw blood in the pot, that came from him.

What situation was the man in who was horsewhiped?—He was handcuffed and double ironed; he was a time prisoner; I don't recollect his name.

What

J. Chapman.
(1 June.)

What did Mr. Bridle do?—He was locked in a cell before, and he was taken down into the front court, and Mr. Bridle beat him, with a large heavy man's horsewhip, over the face and eyes, till the blood ran down his clothes upon the stones and grass; I saw it; he was ordered down from the cell to be beat, he was ordered to be taken to the refractory yard, and he was beat before he got there.

Was Mr. Bridle in the habit, while you were here, of cursing and swearing at the officers and prisoners?—Yes; when we did not do any thing to please him.

Was the washing done in the gaol, at that time, for the county?—Yes.

Did you ever know of any other persons' clothes being washed in the gaol, except the officers and the prisoners?—Yes, Mr. Webber's.

Examined by the Commissioners.—Who was he?—Mr. Bridle's father-in-law, who lived at the principal farm in the town.

Examination by Mr. Hunt resumed.—Were Mr. Webber's clothes brought to the gaol and taken back to Mr. Webber's house after they were washed?—Yes; I have seen the people come in with it, and come for it again.

Did any of the prisoners, at that time, do work for Mr. Bridle about the house?—Yes; a time man and a time woman acted as servants in the house, and were changed at different times.

Did you ever know of a carpenter, a prisoner, working for Mr. Bridle on Sunday, in the work shop?—Yes, a debtor; I think his name was Powell, living about Bridgewater.

What was he working about?—Making the frame work of a cottage.

Was it made of county timber?—Yes, of oak.

Did he work during chapel hours?—I know he did; I heard him hammering all chapel time, in and out.

Were the debtors who did not go to chapel, or to work for Mr. Bridle, locked up during chapel hours?—Yes, in the kitchen: the carpenter was working in the carpenters shop.

Do you know whether he was locked in the carpenter's shop?—I cant't pretend to say; I did not go down to see.

You were at the front lodge at the time?—Yes.

You could see and hear him at work?—Yes.

Did Mr. Bridle, at the time you were at the lodge, keep late hours?—Yes, generally; either out in the town, or with parties in the house.

Have you known Mr. Bridle playing at cards with a prisoner?—Yes, early in the morning, with Morris, a debtor, and Mr. Webber, and some woman, I don't know who.

Were you kept up to let those parties out?—Yes, till three or four o'clock; and I have been kept up till day-light.

Have you seen Mr. Bridle, and his parties, drunk?—Yes; I have seen Mr. Bridle, with others (John Bridle, of Shepton Mallet, was one) throwing beer at one another in the front court at the dawn of day.

They were intoxicated?—Yes.

And had been sitting up all night?—Yes, singing and carousing.

Had you been kept up all night on that occasion?—Yes; I staid up all night; I never went to bed till they were all out or all in.

Did any of the other officers see the beatings you speak of?—Avery, the turnkey, saw the man beat with the stick.

Cross-examined by Mr. White.—What offence had the man committed that was horsewhipped?—I believe it was for hallooing and whooping; it is so long ago it has slipped my memory.

What quantity of timber was taken to make the cot?—I did not measure it; I am no judge of timber; I cannot say.

But you know it was county oak that it was made with?—Yes.

How do you know that?—Because I fetched it; there was no other put into the carpenters yard.

Who ordered you to fetch the timber that was used for the cot?—It was brought in for some particular purpose, and was taken to make the cot. It was brought in by direction of the carpenters for the use of the shop. When the timber was wanted, a quantity was brought in and put into the yard for the carpenters use. I saw Powell using some of that timber. I know it was the county timber that was used for the cot.

How do you know it?—By seeing him cutting it out of the pieces that I had seen the men bring in.

Did you see those pieces converted into the cot?—Yes; I saw Powell making it into legs and other things for the cottage.

Paynes was sent out for water for the flowers, not for washing the pavement?—No; we always washed pavements on Saturday nights, not Sundays.

You were with Avery when Paynes was stopped?—Avery could run fastest; I was some way behind.

You beat him a little while bringing him back?—I never touched him at all.

You are sure Mr. Bridle was the person that horsewhipped the man you spoke of?—Yes; I stood by the side of him.

You have no doubt about it, though its so long ago?—No.

And Mr. Bridle was the man?—Yes; and Mr. Bridle was the man.

Were there visiting magistrates in those days?—Yes.

Did you state those things things to them?—Yes; to the one first.

To whom?—Dr. Colston.

J Chapman.
(1 June.)

To whom next?—Dr. Colston told me he would send an account of it to Mr. Acland.

Did you state it to any other magistrate?—I don't recollect that I did, before the visiting magistrates met.

When they did come, who attended?—The first was Squire Dickinson; I don't recollect any other. I thought he came to examine into it. He had the man in that had been horsewhipped when hand-bolted and double ironed, and asked him about it; and the man shewed the position in which he was handcuffed at the time he was horsewhipped; he had the leg irons on when before Mr. Dickinson. Mr. Bridle brought in a small woman's whip; I said it was not the whip he beat the man with. Mr. Bridle said he had unfortunately lost that whip. The man was ordered back to his ward, and I came away.

What other magistrate attended?—I don't recollect; there might be others, but I don't remember.

How long was this before you were turned out of the gaol yourself?—It might be a month.

Did you state that to the magistrate at the time you were dismissed?—I stated all these complaints, that I have now made, to the magistrates at the time.

Yet they dismissed you?—Yes.

Re-examined by Mr. Hunt.—After Mr. Dickinson examined, and before you were discharged, was there any other meeting of the magistrates?—Yes; and when Sir John Acland was present.

Then it was at that meeting that you stated all these matters to the magistrates?—Yes.

Did you state to those magistrates that you had witnesses in the town to prove the charges?—Yes; they asked me, where were my witnesses; I told them, some were in the town and some in the gaol.

Did they say they would call those witnesses?—They said, they would call them by and by.

Did they proceed then to examine into the charges you had made?—Before that, they had inquired into charges made against me. The day before the gaol meeting, Sir John Acland came and called me in to answer some complaints; one of them was, for letting some prisoners have some beer, another was for letting the light cells over the chapel remain unlocked one night; so, Mr. Bridle said, that is all that I can recollect.

Did the magistrates at all call those witnesses that were in the gaol out of the gaol, to inquire into your complaints?—No.

What did you understand you were dismissed for?—I understood, if I do not mistake, it was for a conspiracy; I think that was the word.

Was Avery and you dismissed together?—Yes.

Mary Carr called in, and Sworn.

Mary Carr.

Where do you live?—In Ilchester.

Examined by Mr. Hunt.—How long ago were you confined in this gaol?—About two years and a half, or three years ago.

Had you, when you came here, a child at the breast?—Yes; about three months old.

Soon after you were here, did you, and one Betty Smith, have a quarrel?—Yes; about two months after I was here.

Had she a child also?—Yes.

In consequence of that, what happened?—The woman called me a d——d liar, and I struck her; we were both locked up from Thursday till Sunday.

Where were you locked up?—Down behind.

Were you in separate cells, or together?—In separate cells.

Was your child with you?—Yes.

Were you taken down together, and were your children with you?—Yes.

And when you were released, were you let out together, and were your children with you then?—Yes.

What was the state of the weather?—It was about Christmas; very cold weather, with snow on the ground.

Were you allowed any fire?—No, not till Saturday; about twelve o'clock, I had a fire in my cell.

What were you allowed to eat and drink?—Bread and cold water, and nothing else.

Had you as much water as you could drink?—No; I went all one day without any water.

Did you apply for water?—Yes, a great many times, but could not have any till the next day.

The next day was any brought you?—Yes; some was brought in a bucket.

Had you nothing to drink it out of but the bucket?—No, nothing at all.

At any time of the day were you let out into the yard?—About ten o'clock, for about a quarter of an hour, to walk in the yard.

How did you get the water out of the bucket?—I was forced to kneel down, and drink it out of the bucket.

Did you suffer any particular inconvenience in consequence of this confinement?—Yes; I was very cold, and the baby too; and it cried night and day for something, and I had nothing to give it.

You say it cried night and day nearly the whole time?—Yes, till I had a fire; and then I had nothing warm, and I had no milk.

What was the cause of your not having any milk?—Because I had nothing but bread and water.

After

Mary Carr.
(1 June.)

After the day that you were without water, were you very thirsty when you got water?—Yes, and I drank a good deal at the pump when I was let down.

Did that satisfy you?—Yes; but it made me very ill.

How ill?—When I came back to my ward, after being released, I was very ill in my bowels.

Did you complain to any one of being ill?—Yes; I was obliged to call Mr. Hobbs, the taskmaster, up in the night.

While you were in the cell, who attended upon you?—Mr. Treganza.

Did you ever apply to see the magistrates or the governor?—I asked Treganza several times to let me see Mr. Bridle; and he said I could not see him, as he had company.

When Treganza came, you and he were alone together?—Sometimes he came alone, and sometimes he and the constable were together.

Who was the constable; a man or woman?—A man prisoner.

Did Treganza go to the other woman?—Yes; sometimes he came to me, and sometimes he went to her first.

And when he was with her, was the door, between the yard she was in and yours, locked?—Yes.

What were you in prison for?—For having a child.

Were there any women in your ward for other crimes?—Yes; some were transports, and some for trial.

Had you any county allowance for yourself and child?—I had bread and pence for myself, but none for my child.

Were you ever committed to this gaol before?—Yes, for two days and a night.

For what?—For taking some turnips; and I was discharged on paying the fine—ten shillings.

Is the child alive?—No, it is dead; it lived about seven months after I left the gaol; it was about thirteen months old.

Cross-examined by Mr. White.—Did Mr. Bridle do any thing towards getting you discharged when you were in gaol for the turnips?—Yes.

Did he pay any part of the fine?—Yes, one shilling.

Was Mr. Bridle kind to you, or cruel to you, when you were here the second time?—He was not cruel at all to me but when I was locked up.

Did he know any thing of your not having water and fire?—I don't know that he did.

You walked every day in the yard, where there was a pump?—Yes, an hour every day.

Was that morning or evening?—Morning.

In the evening, when you were put into the cell where you were to sleep, you must have gone by the pump?—Yes; I went by the pump.

Could you not have had water at the pump while you were walking in the yard, and while you were going to the cell to bed?—Yes, I could, I suppose.

Then why did you say that you could have no water all one day?—I was locked up as soon as I was let out of my bedroom, and kept locked up all day until evening; I was not let out to walk.

Could you not have drank at the pump?—I suppose I could, if I had asked, but I did not have any.

You passed the pump twice that very day?—Yes; Mr. Treganza was with me.

Did you ask him to let you drink?—I don't mind whether I did ask him to let me drink or not.

Then you don't remember that he refused to let you drink?—No; but I asked him for something to drink out of, and he said he had nothing till next day, and then I had the bucket.

You had an allowance for the child from the father of it?—Yes; eighteen pence a week.

And that was the reason you had no allowance from the county?—I suppose so.

Occurrence Book, Thursday, 19th November 1818. (Entry read) "Put Elizabeth "Smith and Mary Carr into solitary confinement, being disorderly and fighting "in their ward."

Occurrence Book, Sunday, 22d November 1818 (Entry read) "Released Elizabeth "Smith and Mary Carr from their solitary confinement, on promise of future "good behaviour."

Re-examined by Mr Hunt.—In the evening you passed from your day-cell to your bed-cell?—Yes.

Were you allowed any time to walk in the evening?—No.

Then the first day, when you were taken out, you were locked in your day-cell immediately, and were not allowed to walk at all that morning?—Yes, and was kept without the power of getting at any water the first day.

Is it usual for women nursing to go so long without drink?—No; and for want of something I had no milk.

Examined by the Commissioners.—Who put you into solitary confinement?—Mr. Bridle himself; Mrs. Hobbs went down and complained of us.

Did Mr. Bridle visit you while you were in solitary confinement?—No, except on Sunday morning before I was let out; I begged his pardon, and then Mrs. Hobbs came down and let me out.

Had you a breast of milk when you went first into solitary confinement?—Yes.

When you had only the bucket, and no vessel to drink out of, how did you contrive to feed the child?—I only gave it dry bread.

Mary Carr.

(1 June.)

While in confinement had you any means of applying part of the eighteen pence a week for the support of the child?—No; no shop ever came.

[Adjourned at 1 P. M. until 2 P. M.

The Commissioners re-assembled at that time.

Parmenias Matthews called in; and Sworn.

P. Matthews.

You are a prisoner in this gaol?—Yes.

What are you in prison for?—I was charged with stealing six pigs.

What sentence had you?—Eighteen months.

How long have you been here?—Fourteen months.

Examined by Mr. Hunt.—What occupation do you follow here?—A weaver.

What punishment have you endured since you came here?—I have had my hands bolted behind me at night for two following nights, the handcuffs were not large enough for my hands; by the squeezing of my wrists my hands swelled very much, in such a manner that you could scarce see the handcuffs in the morning.

What did you do in the daytime?—I was taken to work in the day, and in consequence of having been handcuffed with my hands behind me, I could scarce put my hands to my head in the morning.

Did you pull off your clothes?—Yes; Mr. Pike took off the handcuffs while I put off my clothes, and then he put them on again, and he took them off in the morning, and then I put on my clothes.

What time were they taken off in the morning?—Half past six.

When were they put on again?—We left off work about six o'clock; they gave me a quarter of an hour to eat my supper, and then they put them on.

What time were you put to bed?—Eight o'clock; but I had them on before I went to bed.

When they were taken off in the morning, were your wrists much swollen?—Yes.

Did you complain of that?—Yes; Mr. Pike told me he hadn't a larger pair; they were too small for my hands.

Did they put them on after you were in bed?—Yes.

How did you sleep?—I did not sleep at all I was so punished with my hands back.

What offence had you committed on that occasion?—Sitting reading in the yard, William White and me. Charles Adams, another prisoner, wanted to take the book from me, and I told him he should have it as soon I had finished the chapter. (I was reading the Bible.) He went into the kitchen, abusing me; and I told him, if he abused me I should strike him, if he did not leave me alone. Then he knocked at the trap-door, and reported me to Mr. Pike, and told Mr. Pike I had threatened to strike him, and Mr. Pike took me before Mr. Bridle, the governor.

Did Mr. Bridle send for Adams, or any body, to inquire into it?—Adams and I were both taken up, and he told Mr. Bridle the same, that I had threatened to strike him; Mr. Bridle asked me if I did threaten to strike him; I told him I did; he said, the only thing to prevent me from striking him was to put me in handcuffs two or three nights, as quick as I came from work.

During that time were you and Adams together in the ward in the morning, from the time you got up at six, till you went to work at eight, without your being handcuffed?—Yes.

Did you offer to strike Adams?—No, I did not get off my seat; I never moved from the table.

Was you punished another time?—Yes, I was chained to my loom in the factory, by one leg, for a fortnight.

What offence had you committed?—I went out from the shop to the privy without leave from the officer, and I stayed in the shop as long as I could; I could not stay any longer. There was no officer came, and then I went to the privy; and while I was out, Mr. Hobbs came and catched me, as I was going back to the shop; he took me before Mr. Bridle for it.

Did you state to Mr. Bridle what you went from the shop for?—No; I stood in the passage. Mr. Bridle was in the parlour, and Mr. Hobbs went to the door, and told Mr. Bridle he had brought me for being out of my shop. He asked Hobbs, if he had any stocks to put me in; he said, no, the boys were in the stocks, and besides that, the work was very much in a hurry, and I could not weave in the stocks. Mr. Bridle said, he was to take a lock and chain, and fasten me by the leg, to some part of the shop in such a manner as that I could weave, and to keep me there till further orders; I did not see Mr. Bridle, but I heard him. In the course of a week after I asked to see the visiting magistrates that attended the gaol; I asked three or four times, and the magistrates came while I was chained. Mr. Hobbs said he would speak to Mr. Bridle for me to go before them, but I was never taken before them. Mr. Hobbs said, he had asked for me to see the magistrates, and that it was no neglect of his that I did not go.

Were you ever employed on a Sunday?—Yes; I have been washing in the laundry, me and two others, James Johnson and George Southern; we were taken out about half-past, eight, to the women's laundry, and remained there till one, dinner-time; and went back again at two, and then remained till half-past four.

Was there any chapel that day?—Yes.

Did you wash during chapel?—Yes, chapel hours and all.

How long have you worn your linen shirts?—I have often worn one three weeks, and sometimes a month; that time we were washing, I had worn one a month. When I asked for a clean shirt, Davis told me, that the felons and convicts must have them in the other yard, for they were lousy.

How

P. Matthews.
(1 June.)

How long have you worn stockings without washing?—I have washed them myself; I had but one pair during the first twelve months that I was here.

You say, you sometimes wash them yourself?—I wore them as long as I could, till my feet were sore, and then I washed them at dinner time, and went without any the while.

In your ward had you an opportunity of getting your shop things?—We got our shop things, but did not think they were weight, particularly tobacco.

Did you complain of those things?—No; we have told the officers, we did not think that we got our weight, and we have told the woman, that brought them, so.

Why did not you complain to the officers?—There was always an officer present, Mr. Pike or Mr. Davis.

And that officer heard you complain?—Yes; but Mr. Davis told us to stand back, and let some others come up that were behind.

Did they ever, when they heard you complain, offer to go and get the scales, in order that you might weigh the things?—No.

Has the milk in your ward been bad, so as that you complained of it?—Yes, very bad.

When you complained, did you get any redress?—No; once we complained, in particular to Mr. Davis; he said, if we did not like that, we should not have any; so by that means we did not have any, it was stopped five or six days, or a week.

What do you give for half an ounce of tobacco?—Two-pence halfpenny.

Had you any means to ascertain the weight?—I tried it once, but I don't wish to hurt the shop woman; I found it short weight; I don't wish to mention her name.

[Admonished by the commissioners.]

You must mention her name?—Her name is Jane Masters.

Examination by Mr. Hunt resumed.—How much paper do you have round half an ounce?—I have had two rolls, and sometimes three rolls of paper round it.

I suppose the paper was weighed, as the quantity of tobacco was very small?—The shop people did not know whether we could weigh it or not.

Was the tobacco always of a good quality?—No; since the examination about the tobacco we have not had any more of that sort.

Since the enquiry of the magistrates?—Yes; since that began we have had better tobacco; that which was sold before for five-pence an ounce has since been brought in for three-pence.

Did you ever know the magistrates examine the shop people?—No; not in our ward.

Did Mr. Bridle ever come while the shop people were at your ward to examine the quality of the things, or to see that you had your weight?—No.

How often does Mr. Bridle come round to see you at your work?—I have seen him come round once in three weeks, or thereabouts, not oftener than that; I have known him not to come for three months at a time.

Have you ever known him come to inspect your wards, to see that it was clean, and that your persons were clean?—I don't know that he has been more than once, without being sent for.

How often did any officer inspect your persons, and to see if your feet were clean and wholesome?—Never. I wish to observe, that last March, just before Mr. Bridle went to assizes, I was in my ward ill in the fore part of the day; Mr. Davis came in after me, and took me out to the front here before Mr. Bridle; and Mr. Bridle asked me why I staid up in my ward; I told him I was very ill, and not able to work. He said he would put me to my choice; I should either go to the factory to work, or he would find an hospital for me; by that means I would rather go under the punishment of my work, when I was not able, than for Mr. Bridle to find me another hospital; for I was afraid he would find the same hospital for me that he did for Thomas Gardener, that was to be ironed, and my head shaved and blistered; so I went to my work; though I was not able to work, I staid in the shop, and was very bad in my eyes; I could not see the ends of the cloth I was weaving. I wish further to say, that I am here for hard labour; and when my friends come from a distance, they are not permitted to see me without an order from a visiting magistrate.

Have you ever been employed to work during the dinner hours?—Yes; last winter Mr. Hobbs asked me if I was willing to work; it was near a month; it was bed-ticking for Taunton poor-house that was wanted in a hurry; I wove one hundred and twenty yards of it in five weeks.

Cross-examined by Mr. White.—Could you weave when you came to the gaol?—No.

You have learned a trade now that will enable you to get a living when you leave the gaol?—Yes; I can go through any part of weaving or warping; I can go through the whole for the broad loom, not the narrow loom.

You receive the same wages as a regular tradesman?—No; I had during the first twelve months nine-pence a day pay, and four-pence halfpenny funded; and for the last two months I have received one shilling pay, and sixpence funded; a regular tradesman in the gaol would have two shillings.

The next step will be to two shillings, will it not?—I have only to stay till September.

Whose nose was it you threatened to split?—Charles Adams's.

You threatened to strike him, and split his nose?—Yes; he said he would have the bible; I said he should have it when I had read the chapter; he cursed and swore at me.

You were released upon promising not to do it in future?—Yes.

The confinement to the loom was no more than confining you to the shop; it was no punishment?—No; no more than the confinement to one place, and the rattling all day.

Are you sure Mr. Bridle did not see you in the passage?—Yes.

Who employed you to work on the Sunday?—Mr. Davis came into the ward, and put his

P. Matthews. (1 June.)

his hand on my shoulder and said, I was a likely man to stand at the washing that day; so I went directly.

He took you to your work and brought you from it?—Davis took me to the work, and Hobbs, the taskmaster, brought me back from it.

Were you ever employed to work on a Sunday on any other occasion?—No; I don't recollect it.

Do you know why you were employed on that Sunday?—No; unless it was that the shirts were scarce.

Might you not have had a change of stockings during the first twelve months?—No.

Did you apply for them?—Yes.

To whom?—Mr. Hobbs; he said there was none in the gaol.

Did you apply for weights and scales when you suspected the weight of the shop goods?—No; because we had been denied having them down to the factory to the bacon and egg man.

You knew of the county scales, did you not?—Yes.

Had not the bacon man always the use of the scales?—Not when I came into the gaol first.

On what occasion were the scales refused being brought to the factory?—I did not ask for them; but they were refused, because salt bacon would hurt them.

Did you only hear that they were refused?—The constable told us he had asked, and they were refused.

Did you ever complain of your milk being stopped?—Yes; to Mr. Pike and Mr. Davis.

And of your tobacco being short weight?—No.

Did Mr. Bridle inspect you when you were turned out to your work?—Yes; I have seen him standing in the front here, when we were coming to our work.

He has not turned some back?—No; I don't know that he has.

Did you ever hear him find fault with the taskmaster, for your not applying in proper order?—No, never.

Re-examined by Mr. Hunt.—How long ago was it when you first saw the weights and scales in the factory?—I don't recollect, exactly.

Did you ever see them before I came to the prison?—No, I believe not.

Did you ever see any other person have them but the old man that sells bacon and eggs?—No.

Would you have weighed the things with them, if you had had them?—Yes, every thing.

Did you ever see Mr. Bridle walk between you, when you were standing in the front court, and inspect each man?—No.

Examined by the Commissioners.—Were you permitted to wash your stockings?—Yes.

Charles Hill called in; and Sworn.

C. Hill.

You are a debtor in this gaol?—Yes.

How long have you been so?—Fifteen years the 20th May last.

Examined by Mr. Hunt.—During that time, have you been confined in the debtors ward always?—No.

At what time were you removed out of the debtors ward?—I cannot say, exactly; the first time it was in 1808 or 1809.

Where were you removed to?—To a place that had been used for a condemned cell, beyond the governor's house, next the chapel.

Was that before Mr. Bridle came here?—Yes; it was in the time of Mr. Scadding.

Were any other debtors removed there with you?—There were two there before, and one went out, and I went in his place.

Since Mr. Bridle has been here, do you remember being removed out of the debtors ward?—Yes, in 1815.

What were you removed for?—For punishment; I should suppose so.

Had you committed any offence, or were you charged with any?—I wrote for the prisoners, and assisted them to get their supersedeas.

Was that considered an offence?—Yes, to Mr. Acland, the chairman to the quarter sessions.

What reason had you for knowing that?—I heard Mr. Acland say he should remove me from that place, to prevent me from writing for the prisoners.

Where were you removed to then?—To the same ward.

Had you the same opportunity of purchasing vegetables and other things, in that place, as you had in the debtors ward?—No; we only saw the gaol shop people, not the country dealers.

Did any thing occur when you were removed?—Mr. Bridle opened my box, and took what papers he pleased away.

Did he take a great many?—Yes.

How long did he keep those papers?—Till after the late inquiry by the magistrates; they were taken the last Wednesday in April 1815, and returned within this month.

Was the water good in that ward?—No; I don't know that it is good in any part of the gaol; I never found it good where I have been.

Have you suffered on account of the water?—Yes; at first, particularly; but to this time I continue taking medicine, or else I can't pass my water.

How do you know that you suffer on account of the water?—Because I never was so before I came

I came here. Mr. Bryer the surgeon has told me that the water is the cause of most of the complaints in the gaol. *C. Hill.* (1 June.)

Have you complained to Mr. Bryer about the water for many years back?—Yes; and he has told me for many years back.

Has it been a general complaint since you have been here regarding the water?—It has.

Has Mr. Bryer made any particular observation to you upon the subject?—Yes; he has said, he wondered the magistrates had not a better method of supplying the gaol with water, as they have at Dorchester gaol.

What complaints have you had that you attribute to the water?—Gravel and costiveness.

Have you known other prisoners suffering much from the gravel?—Yes; so as that they could scarce pass their water at all, without taking medicine.

Do you know any prisoner here now that has been a sufferer?—Yes, Raynes; he has the gravel. I have heard Raynes and Collard say, when they could not get soft water their complaints returned again.

Have you ever found any other bad quality in the water?—No; that is how it chiefly affects me, as well as others. The water is foul at times upon the rising of the river.

Have you ever known a man afflicted with gravel screaming in consequence so as to be heard in the chapel?—Yes, a man whose name I forget; he was in the ward below the chapel; while I was there we heard very dreadful complaints as we were going to chapel.

Have you ever known the bread bad?—Yes; I have frequently known it very indifferent, and it is very indifferent now.

Have you heard him complaining many times on Sundays, while you were at chapel?—Yes.

Did you hear that he died from that complaint?—Yes; and I heard that those complaints continued up to the time of his death.

What is the prison baker's name?—Kiddle.

When you first came here, how were the debtors situated then?—They were all in one ward by day, some of them slept in the time cells, we were altogether in the different rooms of the ward.

Was the yard then divided in two, or was it one only?—The upper yard continues nearly the same; but that where I am (the poor debtors yard) was used for county lumber.

How long have the interior walls been erected?—Six or seven years; but they were not erected all at one time.

Was there ever any typhus fever in the gaol for the first seven or eight years that you were here?—No.

Has there been any fever since the walls were erected?—Once, and that lasted a considerable time, about 1816 or 1817.

Is that the only general fever you remember being prevalent in the gaol?—Yes; but individuals have had fevers.

[A loaf of bread produced.]

Is that the same sort of bread that you are served with?—Yes, it is. It is made of bad corn. In my judgment of damaged corn. I have been in the habit of grinding a good deal in my time.

In your judgment, is the bread well manufactured?—It is not made as it should be by a baker.

Are you a baker?—No; but my mother baked and sold bread a considerable time, when I lived with her.

Magistrates Journal, April 26th, 1821. (Entry read) Present Rev. Dr. Colston, Rev. J. G. D. Thring, Aaron Moody, esq. "Robert Kiddle agrees to supply the prison "with bread, from the sixth day of May next to the fifteenth day of July, at the "price of twelve shillings per hundred weight. The bread to be standard wheaten, "in loaves of three pounds each, of a fair and marketable quality, and to be "delivered every other day according to the usage of the prison; that in case any "complaint should be made during the contract, the visiting justices shall be at "liberty to inquire, and if they find the complaint to be well founded, they shall "be at liberty to procure bread from any other baker, upon the best terms they "can, and to charge the excess of price (if any) to the said Robert Kiddle, to be "deducted out of the bill at the end of the contract."

"*Robert Kiddle.*"

Is that bread standard wheaten?—No.

What is standard wheaten bread?—It is made of second flour, not made of superfine flour.

Does that produce the bread such as is sold as the best bread in the country?—Yes.

What is made of superfine flour?—Pastry and rolls.

Have you been a long time in the poor debtors' ward receiving the county allowance?—Yes.

With such bread as that produced which you say is bad, why have you not complained of it to the magistrates?—There was a complaint made to the magistrates here about three weeks or a month ago; I sent for a loaf of my own to shew them, and the magistrates agreed that it was not of a good quality. A loaf was sent for out of the town and compared with it, and the magistrates thought the loaf that came from the town was better than the gaol bread.

What was your reason when you found the bread at different times of a bad quality, why did you not complain to the magistrates?—I believe it was fear.

C. Hill.
(1 June.)

Fear of what?—That the bread would be taken from us; we did complain to the turnkeys, but not to the magistrates; I knew an instance of it.

Of what?—A debtor complained to the magistrates respecting the bread, and the county allowance was taken from him.

Examined by the Commissioners.—What was his name?—I don't recollect, it is a great many years ago, I knew him very well at the time, he was a miller and baker.

Examination by Mr. Hunt resumed.—Was that then the reason that you never complained of it?—That operated upon me.

Do you know whether that debtor was removed from his ward by order of the magistrates?—It was so said by the man himself.

Have you ever known any of the poor debtors having their bread suspended without an order from the magistrates?—Yes.

And lately?—Yes.

Relate some instance?—John Glover was taken out of our ward and put into the upper ward, respecting not paying the constable.

How was that?—We paid them, I believe, three-pence a week, now we pay two-pence a week each to the constable, and we pay for coals and candles besides.

Is the constable one of yourselves?—Yes.

Who is he appointed by?—Mr. Bridle.

Have the poor debtors been compelled to pay two-pence a week each to this constable?—Yes.

Did Glover refuse, or was he unable to pay the constable?—It appeared to me that he was not able.

When debtors are placed in the upper ward, are they forced to support themselves or to starve?—Yes, or to subsist on the charity of others.

Do you know any thing of Thomas Gillingham having refused to pay?—Yes; he said he had not got money, and Mr. Bridle came into the ward and told him that if he did not pay it up by next pay day he would remove him into the other ward and suspend the allowance.

Did Gillingham do any thing to raise the money?—Yes, he gave his great coat in pawn for it to another debtor.

What is the two-pence a week paid to the constable for?—For sweeping the rooms and keeping them clean, and making the fires.

Is it part of his duty to wash the bed-rooms?—Yes.

How long have you known the bed-rooms go unwashed previous to the enquiry by the magistrates?—Two months, or more.

Has the constable any other allowance?—Yes; the same allowance of bread and pence as other poor debtors, and one shilling a week from the county.

Are there not many men in your ward who would be glad to do this work for the shilling a week, the county allowance, without receiving two-pence a week from you?—Yes; I have heard several say so, and it is so now, we don't pay the two-pences now.

During the time that you were compelled to pay the constable these two-pences, were you prohibited from purchasing any beer or cyder?—Yes.

Is there any printed or written rule hung up in your ward, or elsewhere, that you can have access to, to prohibit you from purchasing a quart of beer a day?—No.

While you were paying the constable, were you prohibited from receiving a pint of small beer if it had been sent to you as a present?—Yes, unless the doctor consented to it.

How far does the doctor live from Ilchester?—Five miles, at Somerton.

Have you ever known poor debtors apply to the doctor to let them have beer or cyder brought in to them, and been refused?—Yes.

Do you mean when it is brought as a present?—When people come to see us, they would rather give us two quarts of beer than give us a penny; and they have then gone away without giving us any thing. I have known persons leave money in the town to be laid out in beer for us, and the beer has been refused admission, there being no order from the doctor. Some little time ago a friend came to see me, and as we were not allowed to send for beer, he gave me some money to purchase some beer. When Mr. Bryer came, I told him I had two shillings, and asked if he would make an order for me for four quarts of beer, which he did: I did not receive but one quart of them. The second day, as my beer did not come, I asked George Bridle why it had not been brought. He asked where my friend was; I told him he had left the money with me to pay for it. George Bridle then said I should not have it, till my friend came to testify that he had left the money.

Have you ever known that the friends of poor debtors have left beer and cyder at the lodge for them, and that it has remained there until it was spoiled?—Yes; cyder I have.

Are the debtors prevented from seeing their wives in private?—Yes.

Are there any written or printed rules to prevent you from seeing your wives in your bed-room?—No, not that I know of.

How many debtors are there in your ward now?—Twelve or thirteen.

What is the largest number you have known there?—Thirty-seven.

Have you any more than one room to sit in and live in?—No; the cooking-room is not allowed to be sat in.

Do you know the dimensions of the room you sit in?—About twenty-one or twenty-two feet long, and between nine and ten feet the widest part.

What is the height of it?—About seven or seven and a half feet; one part is higher.

Did

C. Hill.
(1 June.)

Did many of the debtors, when there were thirty-seven in the ward, have their wives come to see them?—Yes; four or five at a time.

Where did they place themselves?—Some went into the yard.

When their wives came, they and the debtors were obliged to associate in that one room?—Yes, unless they went into the yard or cook-house.

Is that a proper society for decent, respectable women to be placed with?—I can't say that it is.

Have you heard of indecencies taking place, in consequence of being prohibited from seeing their wives in private?—I have known them to be in the privy together; I have seen them come out.

Can any other person but your wives see you in your wards?—No, only infant children.

Where do you see the other parts of your families, and other friends, when they come to see you?—In the conversation-room, all the debtors of both wards.

In what part of the day can you see these friends in the conversation-room?—Nine to ten, twelve to one, and three to four.

What time can you see your wives in the conversation-room?—At any time of the day between nine and four; but if they come into our ward first, they are not suffered then to go with their husbands into the conversation-room, unless they go out into the town, and return straight to the conversation-room; but the wives may go from the conversation-room to the ward. The wife, being a visitor to the ward, goes in at nine and stays till ten; she may then go out to town and come in again; and she may do that a second time sometimes, and sometimes I have known the turnkeys refuse them. I believe that a wife would not be admitted to the conversation-room but during the three prescribed hours; but being once there, she may remain there as long as she pleases.

Is it commonly understood amongst you, that debtors have taken their wives to have connexion with them in the conversation-room, as well as the necessary?—Yes.

Is it so common that men afterwards admit the fact?—Yes.

Have you heard that the conversation-room is the only place where I am allowed to see female visitors?—Yes.

[Magistrates Journal, page 206.—October 16th, 1820.—Copy of Order of Session:—
"Ordered, That no female visitors, except as aforesaid (wives and children), be
"admitted to the said Henry Hunt and John Kinnear, but at the usual hours, in
"the debtors visiting-room at the said gaol, unless upon some urgent occasion,
"allowed by and stated in an order, first obtained for that purpose, from one of the
"visiting justices of the said gaol, or the sheriff of the said county of Somerset.—
"(By order of court.) *Coles*, Clerk of the Peace."

[Magistrates Journal, entry page 208. "Ilchester Gaol, 15th December, 1820.—
"Mr. Hunt is to be allowed to receive the visits of his female, as well as male
"friends, from nine in the morning till four in the afternoon.
"*Charles Warwick Bampfylde*, high sheriff."

[Magistrates Journal, page 212. "February 13th, 1821.—Ordered, that the order made
"at the general quarter sessions, held at Taunton, on the 16th day of October last,
"respecting the admission of female visitors to Henry Hunt and John Kinnear, be
"enforced by the governor on and after the 20th of February instant.
"*W. H. Colston. John Thring. J. G. D. Thring.*"]

Is there any fire-place in the conversation room?—No.

Has there ever been a fire-place in it?—I never heard of any.

Has it a stone floor?—Yes.

Does the sun in winter time ever shine into it?—Not till late in the afternoon.

Is it damp and cold in winter?—Yes; so much so, that the wet has run down the walls, and the seats are quite wet, so that one could not sit down without wiping it off.

How long has it been built?—About three or four years.

Has it always been complained of as a cold and disagreeable place?—Always.

[Adjourned at 7 P. M. until 9 to-morrow morning.

SATURDAY, 2d JUNE, 1821. The Commissioners re-assembled at 9 A.M. at the Gaol.

Mr. *James Bryer* called in; and Sworn.

Mr. J. Bryer.
(2 June.)

ARE you surgeon to this gaol?—Yes.

How long have you been in that office?—Fifteen years at the approaching sessions.

Where is your residence?—Somerton, between four and five miles from hence.

What is your salary?—A hundred guineas a year.

How are the medicines found?—By myself, out of my salary.

Upon all occasions?—Yes.

And of all descriptions?—Yes.

Have you any place in the gaol where medicines are deposited?—Yes.

Has the governor of the prison access to the medicines?—I should think he had; the keys are left at the lodge.

Has the governor at any time had directions from you to administer medicines on your account?—I don't remember; I have said to the taskmaster, if a man wants a dose of salts you may give it, and perhaps an emetic.

Do you keep a journal?—Yes.

In that journal entries are made of medicines by you given to the prisoners?—Yes; ordered by me to be delivered to the sick.

Mr. J. Bryer.

(2 June.)

Examined by Mr. Hunt.—Do you at all times keep a sufficient quantity of medicines as to be able to meet any case that may occur?—I bring here such medicines as I think are most likely to be wanted in the gaol.

Has it ever occurred that when you come to examine a prisoner, you have found him in such a state as to be obliged to send home for medicines?—No.

Are we to understand that you have always been prepared with sufficient medicine?—Yes; I have always had as much as I have thought necessary; and when at any time my stock has been out, I have replenished it on my next visit.

Is there at this time a sufficient supply of medicine in the surgery to meet any accidental complaint among a company of two hundred people?—I should think so.

How often do you generally visit the gaol?—My first contract was to visit the gaol twice a week, or oftener if necessary; I have attended perhaps seven times a week.

Has it happened that you have not been here once a week?—It did happen so once; and then my assistant or somebody attended for me.

Then you are quite sure that a week has not passed without you or some friend attending for you?—I think I can say so; certainly.

Generally, then, we are to understand that it is your usual practice to be here twice a week?—Yes.

Supposing two or three persons to be ill at one time, have you sufficient medicine and bottles for their use until your next visit, if they require half a dozen draughts per day each?—Not bottles. If you will allow me to explain; I send it in powders, to be administered in gruel or tea; were I to send bottles, it would cut very deep into the salary indeed.

Have you no phials here?—I have some, but not an abundance. I sometimes give out bottles for eye-wash and half pints; but, where I can do it with propriety, I apply medicine in powders and pills.

You generally send for draughts in powder?—Yes.

In your private practice, do you use bottles for draughts?—Yes, certainly.

Your only reason is, on account of the great expense of bottles?—It is to save time as well as expense; I can prepare and send powders in less time than I can draughts.

Is it your practice to send medicine to patients without seeing them?—It is not the practice, but it has been done.

Have you ever sent a blister to be administered to a prisoner?—Yes; I have certainly sent a blister.

Alluding to the case of Gardner?—Yes.

Upon what application?—Mr. Bridle came to me at the surgery and said, a man was very outrageous, and seemed as if he was disordered in his head.

Did he tell you the man was very ill?—No.

Did you go to see what the complaint was?—No.

Is it your invariable practice to apply blisters for all disorders in the head?—No.

Did you recommend a blister, or was the blister applied for?—The blister was asked for by Mr. Bridle, and I ordered the man to spread one.

Who was the man?—William Carter, who had been attending upon me for some months.

Was he a man who knew any thing about dispensing medicine?—No, not all, that I know of.

Was it Carter, the constable at the lodge?—I don't know that there was any other Carter. He was a constable.

Do you know what his sentence was, or what he was committed for?—No; I don't know his crime, I never make inquiry of that sort.

Do you instruct persons then to take out medicine to your patients at home without inquiring into their characters?—I usually employ my own servant; I inquire his character before I take him.

Then will you tell us why, out of the gaol, you think it necessary to enquire into the character of those whom you intrust with medicine, and unnecessary as to those you intrust with it in the gaol?—Those people I employ at home, I enquire into their characters generally, without reference to their being intrusted to carry out medicine. Whenever I have wanted a man to attend me in the gaol, I have applied either to the governor, the taskmaster, or turnkey. I have had none but prisoners to attend me in the gaol ever since I was employed there. They have generally been chosen from those who have had some time to stay, because I would not be constantly changing, and I have generally required one who could read and write.

Who attended you to carry out medicine previous to Carter?—James Harper, a wooden legged man, now in the gaol.

Has not Harper been committed three times to this gaol?—Yes; it was the second time of his being in gaol that I employed him.

Do you know that that man is now under sentence of transportation?—I have heard so.

Did you attend him during his first imprisonment?—I attended him for a serious illness, but whether it was the first or second time of his being here I cannot say.

Was it before he was your man?—Yes.

Did you make any objection to employing him to carry the medicine, knowing he was then confined for the second offence?—No, I did not,

Did Mr. Bridle describe to you the complaint of the man for whom he wanted the blister?—He said, he thought he had something the matter with his head, and behaved in a very outrageous mannner.

How

Mr. J. Bryer.
(2 June.)

How came you not to go and examine into his complaint before you delivered the blister?—I can't say; I had no particular reason.

Is it not your practice, when informed by the officers on entering the gaol that a person is ill, always to go and visit him?—Yes, in general it is.

Is it always your practice?—I don't know that I ever neglected a thing of the kind before.

Did you go afterwards to see how the blister operated upon him?—No.

How do you know then that the blister had the desired effect?—On my next visit to the gaol I was told, that the blister had brought him to his reason, and that he had sent an apology to Mr. Bridle, that he would never behave ill again as long as he was in the gaol, if Mr. Bridle would release him.

Who gave this account of him?—Mr. Bridle.

Did you give out this blister as a punishment, or on account of any illness that he had?—I certainly gave it out for his outrageous behaviour.

Did you administer it for punishment, or because he was ill?—It was to relieve his head.

From what complaint?—From phrenzy, I should suppose.

What is your opinion now, that it was delivered out by you as a punishment?—I did not deliver it out as a punishment.

If not for punishment, what did you deliver it for?—For a complaint in the head, phrenzy, I said that before.

Did you order any other application for him?—No.

Did you not order a strait waistcoat to be put on him?—No.

Were you informed that the strait waistcoat was on him at the time?—No, not when I was asked for the blister, but I was informed of it afterwards.

How long after you delivered the blister was it that you were informed of the strait waistcoat having been put on?—I believe at my next visit, when I was told that the blister had had a good effect.

[Surgeon's entry, 21st November 1820, blister applied next visit, 23d November 1820.]

You believe that at the next visit you were told of the strait waistcoat?—Yes, either that it was on or had been on.

Did you at your next visit see the patient?—No, because I think I was told that he was released.

When you ordered any thing for the patients, do you enter it in the journal?—In general I do.

Did you enter the circumstance of the blister on the day it was ordered?—No.

How long afterwards was it that you entered it in the book?—I can't recollect, it might be a month or six weeks after.

[Entry shewn the witness.]

How came you to enter it then?—I believe Mr. Bridle asked me if I had entered it.

Should you have ever entered it if Mr. Bridle had not applied to you on the subject?—I don't know that I should.

Did Mr. Bridle never apply to you to visit this man?—No.

Where is the hospital now?—What has been used for it lately was formerly called the boys ward.

Is that the only hospital you have had lately?—Yes, I don't know of any other of late.

Is this the only hospital you have known lately?—It is the only one, when a prisoner has been so ill that he could not stay in his ward, he has been sent down there.

Is that the only hospital you have to send patients to, male as well as female?—I have known of no other lately. Your situation was formerly the women's infirmary, and Mr. Kinnear's was the men's infirmary, but they have generally staid in their own wards.

Has that been the only hospital for the last twelve months?—It has.

Is there any hospital began to be erected?—I have heard from general report that ground has been purchased for an hospital, but I don't know that any building is begun for an infirmary.

Have you not understood that ground has been purchased for that purpose several years?—It may be a twelvemonth more or less, that I heard that report.

How long has the boys ward been used as an hospital?—We have sent there from time to time.

Do you recollect Barnard, a debtor, being sent there?—I remember he was ill, it might be a year and a half ago, but I don't recollect he was there.

How long do you think it is that persons who were ill were first sent there?—I think they were sent there first when there was a fever, occasionally, during the last four years; I think sick prisoners have been sent to that ward as an hospital.

Is that a fit and proper place for sick persons to be kept in?—Not many at the same time, certainly.

Is it a fit and proper place to put any sick persons in?—It is so far fit to take a sick person from a noisy ward to be placed alone; it is a quiet situation.

Has it a stone floor?—Yes.

Taking all the circumstances of it together, is it a fit and proper place to put a sick person into?—It is on the ground floor, it has not a good aspect, and altogether it is not a proper place for an hospital.

Mr. J. Bryer.
(2 June.)

Is it a place where there is a free circulation of air?—Not without opening the windows.

Are there any windows to open?—I think there are two that will open.

In the same room?—They are small rooms one within the other.

Are they not cells?—I believe they are called cells.

Has not the front of them a northern aspect, and does the sun ever enter them?—They have a northern aspect, I never saw the sun shine in them; if the sun enters them, it must be in the afternoon.

After saying that, I ask you whether it is a fit and proper place to put a person into who is seriously ill?—I certainly would not put a sick person into it, if I had any other place to put him into.

For want of a place to put sick persons in, have you ever known prisoners remain and die in their wards?—Two or three debtors have died in their own rooms lately; the first went about ill some time, and the other (Davis) was seized with an apoplectic fit, and was not removed until he died, I think, two days afterwards.

[Occurrence Book, Saturday, 30th December 1820:—"Charles Godwin Davis, "a debtor, is taken very ill, at 3 A.M. I sent to the town for a surgeon, and Mr. "Robertson attended; sent a messenger also to Mr. Bryer, the gaol surgeon, at "Somerton, and Mr. Valentine (his partner) attended. The sick man appearing "fast approaching to a dissolution, Mr. Robertson is sent for again in the evening, "and attends accordingly."

Sunday, 31st December 1820:—"Charles Godwin Davis died in the debtors ward this "morning, at one o'clock (see yesterday)."

Monday, 1st January 1821:—"Mr. Caines, one of the coroners of the county, "attended, and held an inquest on the body of Charles Godwin Davis, who died "yesterday morning, in the debtors ward; Mr. Valentine, the surgeon, attended "the inquest, who returned a verdict, that he died by the visitation of God."]

You don't know that Davis was ill for a month or two?—No; I never attended him.

Do you remember Edmund Treble dying?—Yes.

[Occurrence Book, 6th February 1821:—"Edmund Treble is taken very ill in the "debtors ward; a messenger is sent to the town for a surgeon, and Mr. Robertson "attends him."

Surgeon's Book, 7th February 1821:—"Mr. Valentine attended, and ordered meat "for broth."]

Did you see Treble after he was taken dangerously ill?—Yes; the last time I saw him he walked from his ward to the surgery; I asked him what he had to complain of, if he was in pain in any particular part; his answer was, no; he had no particular pain, but a general weakness; I then said, probably some nourishment would be of more service to him than medicine, and ordered meat and beer accordingly. On my next visit, I was surprised to hear he was dead. I saw him on a Monday, and my next visit, I think, was on Thursday.

He was in that state that you thought meat and beer would be of more service to him than medicine?—Yes, and he said so himself.

Did you understand that Mr. Robertson had attended him since you had seen him?—Yes; I was told so.

When you saw him alive the last time, he came to you to the surgery?—Yes.

By reference to the book, can you tell when it was that you last saw him alive?—[*Refers to the book*]—Yes; Monday the 19th February 1821, was the last time I saw him.

On Thursday, the 22d, you heard he was dead?—Yes.

Were you called upon to give evidence respecting this man's death, before the coroner's inquest, or was Mr. Robertson?—I believe I attended the inquest.

Did you give evidence upon your oath before the coroner, of what was the cause of Edmund Treble's death?—I believe I did.

If you did not see him the whole time of his keeping his bed, how do you know by what means he came by his death?—I could only suppose that he died from great debility. He was a very old man, and had been in a weak way for some time, and died a natural death.

As you did not see him for the last two days, how could you, upon oath, state what was the immediate cause of his death?—Because, upon the inspection of the body after death, it was my opinion that he died a natural death.

Were you sworn?—Yes; I never attended an inquest without being sworn.

Were you examined in the presence and hearing of all the inquest?—I don't know but I was; I am in general.

Do you recollect where you were sworn, and where your deposition was taken down?—I think, in the room below this.

Do you mean that any jury was present?—I am sure some of the jury were there, but I can't say whether all were or not; it is not my department to attend to that.

Did you, in your deposition before the coroner, say in what state you found him when you last saw him alive?—I don't know whether I did or not; I answered such questions as were put to me by the coroner.

Did Mr. Robertson attend the inquest, or did he not?—He did not.

[Extract, Occurrence Book, Wednesday, 21st of February 1821:—"Edmund Treble "being again very unwell, I sent to the town for a surgeon, and Mr. Robertson "attended him."]

[Occurrence

Mr. J. Bryer.
(2 June.)

[Occurrence Book, Thursday 22d February 1821:—" Turnkey of debtors ward " reports, that Edmund Treble died this morning at five o'clock, in his bedroom " in the debtors ward."]

How are the jury composed?—Generally six debtors from the prison, and six jurymen out of it.

Will you undertake to say that any of the debtors were present on this occasion?—I think there were.

Did you make any inquiries of the man that attended the sick person, or of the surgeon who attended him, whether he had that nourishment administered to him which you ordered for him?—No, I did not.

Do you know whether he had it or not?—No, I do not; I take it for granted that he had.

Was your deposition read to the jury?—Yes, in my presence, to the best of my recollection; I was not dismissed until my deposition was read to the jury.

Where was that read?—I believe in the room under this; I think it was.

Was any thing said before the coroner, of this man not having been taken proper care of?—I think Henry Childs, one of the gaol jury, said something of the kind; and I think the substance of what he said was, that the man had been ill some time and in a very weak state, and that his situation amongst his brother debtors was an improper one, and that he ought to have been more quiet.

Did you, or did the coroner, say any thing in answer to that?—I don't recollect.

Did you hear one of the jury complain in this way without taking any particular notice of it?—I don't recollect that I did.

If he had been deprived of the nourishment that you ordered him, might that not have hastened his death?—Yes, it might.

At that time of the year, was it proper that he should be excluded from fire himself, or the nurse that attended prevented from coming to the fire to get him any thing warm?—No, it was not.

As far as you recollect, was it stated before the coroner, that he had not had the nourishment you ordered, or that he had not been allowed to come to the fire?—I don't recollect that it was.

Did any of the jury ask you any question how he came by his death?—No; I don't recollect that they did.

Must not some of that jury have known that you had not attended him after he kept his bed?—Yes; Henry Childs must have known it.

Have you ever known any person come by his death from violence, inflicted by himself, or any other person, since you have attended the gaol?—No; I recollect a very violent man who was found dead in his cell, whether he died from his violent struggles, or from what cause independent of that, I cannot tell.

How did you know he was a very violent man?—I was told so.

Had you ever been called upon to attend him for his violence?—No; because he was sent into the prison between my visits, and he died before I came again.

Then all about his dying from being a violent man you had from hearsay?—Yes.

Did you attend the inquest upon him?—Yes.

What was his name?—I don't recollect.

How long is it ago?—A year and a half or two years ago, or it may be more, I can't say.

What cell was he found dead in?—I think it was not a solitary one, it was one of the common sleeping cells over the felons ward.

[Occurrence Book, Friday 31st October 1817:—" James Ford, a prisoner committed " for trial at the next sessions for a felony, died in the gaol at 8 A. M. The co- " roner *Mr. Caines* and surgeon attended at *the* three in the afternoon, and held *Interlined.* " an inquest on the body. The verdict of which was, that he died by the visita- " of God. The body is removed for interment to Ilchester church-yard at 5 " P. M."]

What state did you find the body in?—There was no preternatural appearance, nor marks of violence; he had been handcuffed, and from twisting his arms about, there was a grazing of the skin.

Do you know whether he died in irons?—I believe he had irons on; I was told he was found on the floor. When I saw him he was on the bed.

Did you so examine the body, that if there had been any marks of blows upon the head you must have seen them?—I think I must.

If the man had fallen over the bed, would there not have been some marks of violence about him, which you must have seen?—There probably might.

In your examination of the body, did you discover any thing to make you believe that he died in consequence of his own violence?—I saw, by the abrasure of the skin, where he had had the handcuffs on, that he had been trying to get out of them.

Then, from what you saw and what you heard, do you believe his death was hastened by his own violence?—Yes, I do.

Did you discover any cause of his death but that?—No.

You believe that the verdict was that he died by the visitation of God?—Yes.

Have you a fee for attending an inquest?—Yes; half a guinea.

[Adjourned at 1 P. M. until 2 P.M.

Commissioners re-assembled. Mr. *James Bryer* called in; and Re-sworn.

Mr. J. Bryer. (2 June.)

Examination by Mr. Hunt resumed.—Have you had any conversation with Mr. Bridle or Mr. White since you left the room?—I have not conversed with them on this business; when I went into Mr. Bridle's parlour he said, I was not to say a thing to him respecting this inquiry Mr. White was not with me at all.

Did the man you last spoke of die of any infectious complaint?—No; I did not see the man till after he was dead.

You are sure he was dead?—Yes.

Is it usual in this part of the country to bury persons the same day they die?—I don't know.

Do you mean to say, you don't know whether they are buried the same day they die?—I don't believe they are.

Is it usual, when they die in the gaol, to bury them the same day they die?—That I can't tell.

Have you not always attended the coroner's inquest in the gaol since you have belonged to the gaol?—I have attended most of them; Mr. Shorland has attended some.

Have you attended the patient respecting whom he has attended the inquests?—I rather think I did.

He attended the inquests and you did not?—Yes.

Why was that?—Mr. Shorland formerly attended here on any emergency, and he would never suffer me to pay him any thing for his trouble, in order to remunerate him he has attended the inquests, and received the fee.

You attended the patients alone?—No, he has attended them as well as myself; I don't know that he ever attended an inquest that he had not seen the patient before he died.

Did you ever know an instance, except Ford's and except in the case of an infectious complaint, that the inquest has been holden and the burial taken place on the day of the death?—No, not that I know.

Can you give any reason why Ford was buried the same day?—No; I don't know that he was buried the same day.

Who was the coroner?—I believe Mr. Caines.

Are you clear about that?—Yes.

What is your practice, when you come into the gaol, as to visiting the sick?—I inquire at the lodge whether any thing particular has happened since I was here last; if I am told that any particular person has been taken ill since my last visit, I see him in my rounds before I go away. I generally go round from ward to ward, and the man who attends me bellows out "Who wants the doctor." If there is any body, they generally make their appearance, and I hear what they have to say, and treat them accordingly. After that I go to the surgery, and put up the medicine, and send it to those whom I think are in want of it.

How, with respect to the debtors?—I go to the window and open it, and ask if any wants me, and if they do they come up. They know me very well, and very frequently they tell me facetiously that they want a cook more than a doctor.

In case one of these debtors tell you they do want you, what then?—They either speak to me at the window, or else they come to me at the surgery.

Do you manage it so that every man in the prison shall know that you are in the gaol?—I certainly do not announce to every individual, man by man, but having given notice to every ward that I am there, I expect that they shall come to me, and say what is the matter with them.

Is it possible, or probable, that a person shall be ill here a month (that is during eight of your visits) without his knowing that you are here and seeing you?—I should think not.

Have you ever known the solitary cells over the felons ward made an hospital of?—I have known men in there; I have attended men there; I mean in the cells in a line with the felons cells.

Are you prohibited from seeing men who are in solitary confinement?—No; if I am told they are ill I go to see them.

Do you go near enough for them to hear the man call out?—No, I don't know that they can.

If a man is in solitary confinement he has no opportunity of being visited by you, unless you are told by the governor or some one that he is sick?—No; I don't know that he has.

Has this gaol been frequently visited by fevers?—About four years ago; it was in March 1817.

[Surgeon's Book, 20th March, 1817, referred to.]

Have you had any persons infected with fever since?—Yes; but no epidemic.

Do you recollect Elizabeth Summers having a fever?—She has been sickly ever since she came into the gaol, more or less, but I believe she is very well now.

Then you don't know that she was so ill of a typhus fever, three years ago, as to be carried in blankets to the infirmary, delirious?—I don't know; there were several women taken down to that ward; I don't know that she was one of them; I am not certain, but I think it likely; it was at the time the typhus fever, as it was called by Dr. Woodford, prevailed.

Dr. Woodford called it the typhus fever; did you agree that it was so?—I agreed with him in opinion.

Then you don't know that two or three women were taken down to that ward in typhus fever?—I don't know whether it was at the time of the general fever or since; there were two or three there then with fevers.

Are

Mr. J. Bryer.
(2 June.)

Are you sure that there were not two or three women in fever there a year afterwards?—I cannot say.

Do you remember the gaol being overflown?—I came here more than once when the water was close up to the lodge gate; but whether through or not, I cannot take upon myself to say.

Then you don't know that all the rooms on the ground floor have been overflowed?—No.

If the gaol was to be overflowed, would it not be very likely to be productive of colds and fevers?—It would of colds, which might be attended with fevers.

Have you heard many complaints of the water in the gaol?—Yes, I have.

What effect had that water?—The prisoners told me they thought it produced gravel.

Have you found the prisoners in the debtors ward affected with gravel?—They have told me so, and I have given them medicine, on their representation, for it.

Have you any doubt that they have had the gravel?—I can't say but that I have had doubts of it.

Yet you gave them medicine notwithstanding your doubts?—Yes, certainly; upon their describing their symptoms, I gave them what I thought would do them good.

Did you take no method to ascertain whether it was fact or not?—They told me what was the matter with them, and I prescribed for the disease I thought they had.

Did you ever administer medicine for any other disease than that which the prisoners told you they thought they were affected with, in consequence of doubting whether they had it?—Yes, the gravel for instance; when I have thought it was not gravel, but an irritation of the neck of the bladder.

Might not drinking bad water, which would occasion gravel, also occasion that irritation?—It might.

You recollect my complaining about the water soon after I came here?—Yes.

Do you recollect your advice to me upon that occasion?—I believe I advised the use of river water.

Has Charles Hill been a patient of yours for the gravel?—Yes, often; he has told me that he wanted some medicine both for wind and the water, and I have combined a purgative and diuretic for him at the same time; I believe that I have often sent medicine to the prisoners without its being used.

Do you frequently use nitre in the gaol?—Yes, a good deal.

Did you ever administer to any other prisoner, than Gardner, any medicine as a punishment?—A man named Evans complained of cough and hoarseness, which I considered more sham than disease, and I gave him a blister for his side; and on my next visit he told me it did him more good than all the medicine.

Did he tell you he would have no more of your medicine?—Yes.

Cross-examined by Mr. White.—You were surgeon of this gaol before Mr. Bridle was governor?—Yes.

During the whole of that period have you any reason to say or to believe that every attention was not paid to the sick?—I have never found but that every attention was paid to the sick.

Have you not known that broth and nourishing things have been given to the sick, without being ordered by you?—Yes; I have ordered it on my next visit, and have then made an entry of it in the book.

Can you take upon yourself to say, from your information and your knowledge, that all the sick have been well attended?—I don't know but that they have; and I believe that all the orders that I have given have been properly attended to.

They are not always sent to an hospital when sick, because there has not always been a spare ward to send them to?—That has been frequently the case.

When a prisoner has been taken ill, has not a surgeon in the town been called in?—Yes, lately, when a case of emergency arose.

Are you not sent for immediately?—Yes, according to the time and circumstance of the patient; I have been sent for in the night.

Are there many sick in the gaol now?—There are many with trifling complaints; one man named Goodman is very ill, but was better this morning.

Did Carter ever misbehave himself while he attended upon you?—Far otherwise; during the whole time he was very attentive.

Was that the reason of his being selected?—That was one; another was, because he had sometime to stay.

He was always careful and attentive while he was attending you?—Yes, I never had reason to find fault with him.

Has not Mr. Bridle on all occasions endeavoured to obtain a spare ward for the use of the sick?—I believe he has; when I have applied to Mr. Bridle he has said, we are very full, but I will endeavour to do the best I can.

Have you ever known instances of his removing prisoners from one part of the gaol to another to accommodate the sick?—Yes.

Is that the reason that the boys are not now in the boys ward?—I believe the boys ward is at present occupied by female debtors.

Immediately before women were placed in that ward, it was occupied by sick persons?—Yes, it was, by them and their attendants.

Do you remember whether Mr. Bridle ever attends a coroner's inquest, unless being sent for?—I never remember seeing him there, unless it was to ascertain that the coroner was properly accommodated.

Does he abstain from motives of delicacy?—I believe so.

Mr. J. Bryer.
(2 June.)

Does he not give all necessary directions for persons to attend the inquest?—I believe so; I have heard him say, the coroner is ready, and ordered the jury to be called.

And you have heard him direct the witnesses to attend?—Yes; he has said "Witnesses go forward," when they have been standing outside, waiting.

Re-examined by Mr. Hunt.—Who has told you when broth has been given to the sick, without your having ordered it?—If it was to the women's ward, Mrs. Hobbs.

Then you don't know that there is a positive order in the gaol, given by Mr. Bridle, that no sick person shall have any thing without your order?—No; I don't know of any order of that sort.

You don't whether the things you ordered for Treble were given to him or not?—No; but I have been told by others, upon asking them, that they have had what I have ordered.

Then you are quite sure that Elizabeth Summers, and others, have told you, that they have not had what was ordered?—I don't know; I have asked some, and they have told me that they have, and some have said that they have not.

How do you reconcile it, then, when you say that you have no reason to believe but that your orders have been always attended to?—Mrs. Hobbs has often and often told me, that meat has not been given that I had ordered, because it could not be got in the town.

If you have often and often been told so, then your orders have not been always complied with?—In fifteen years I have certainly been told so, often and often.

Did you ever attend a midwifery case in this gaol?—No.

Goodman, that is ill, did he attend Treble, who died?—I don't know; I believe he attended the man that was sick.

Then you don't know that Goodman caught a cold in consequence, and has been ill ever since?—No; he made no complaint to me till within the last week.

Is his complaint a cold and inflammation of the lungs?—I think so, and treat it as such.

You say, Carter has not misbehaved himself?—Not while he was my man; he behaved very well while he was with me.

Can you take upon yourself to say, that Mr. Bridle has always given such prisoners as may be witnesses, a fair opportunity of being examined before the coroner?—I don't know to the contrary.

Do you know that he has ever prevented them?—No.

Examined by the Commissoners.—Of course, as a surgeon, the water of this gaol has been a subject of great concern and care to you?—Yes.

Have you ever heard any complaints made of the water?—Yes.

I wish to know whether you have ever made any particular observation on the nature and qualities of the water which is drawn from the wells in this prison?—No, I have not.

Are you enabled to state, whether any difference exists between the water from the wells and the water from the river?—No; I only go upon the general idea that river water is softer.

Do you apprehend that the water in the wells is hard?—I have heard it complained of as such.

Have you any apprehension that there are any mineral qualities in the water?—I think I have heard that there is a brackish taste in some of the wells, which it is I cannot say, that may be occasioned by some mineral contained in it; I never analyzed it.

Then, from your own observation, you are unable to state whether or not the water has that brackish taste?—Yes.

Are you able to give the commissioners any information respecting the quality of the water in the neighbourhood?—Not to particularize it; I believe the water in the neighbourhood is good.

Do you conceive that all parts of the prison are duly ventilated?—No, I should think not.

What parts of the prison do you think are not duly ventilated?—I think the boys ward is not.

What other parts?—Probably, the convicts ward, when a great many are together in the ward, and when the gaol is very much crowded, most of the kitchens are not properly ventilated; I should think a ventilator on the top of the chapel would be desirable.

Do you think that the yards are sufficiently ventilated?—Yes; they are open to the sky.

Previous to the year 1817, was there any infectious fever in the gaol?—I don't recollect that there was.

Do typhus fevers frequently occur in this neighbourhood?—Not more than they do in others, I believe.

Did you ever make any report or observations to the visiting magistrates, of your opinion that parts of the gaol were not properly ventilated?—No.

Of the water being complained of?—No.

You never recommended any experiments being made for ascertaining the quality of the water?—No.

Did you ever express any opinion to the governor, that such would be desirable?—No; I may have told him that the people complained of it.

Did you ever state to the visiting magistrates, that it at times occurred, that the extra supplies you had ordered for the sick, could not be afforded them, because the town of Ilchester did not supply the necessary quantity of meat?—No, I never did.

Did you ever mention to the governor, that Mrs. Hobbs had alledged that as a reason why your orders had not been attended to?—No; I took it for granted it was so.

As a medical man, I wish for your opinion, whether it might not occur, that where you had ordered extra nourishment, the want of that extra support might endanger the life of the patient?—I should think so.

The

Mr. J. Bryer.
(2 June.)

The neighbourhood of Ilchester probably produces more animal food than is to be met with in the town itself?—There is a very good market at Yeovil once a week, and there is a small one at Somerton.

What distance are they from Ilchester?—About four or five miles each.

Do you conceive, in point of fact, that the governor was aware of this want of supplies to provide for your order?—I don't know whether he was or not.

And you conceived it not to be your duty to carry it further, and that you had done sufficient by giving the order?—Yes.

Has it been the custom for the visiting magistrates to call you before them to make enquiry, as to the health of the prisoners in the gaol?—I have been examined at the gaol sessions, which are held on the Thursday previous to the quarter sessions, and any report of the state of the gaol is carried to the quarter sessions.

Have you ever, at those gaol sessions, communicated to the magistrates the complaints about the water, or your opinion that the gaol in many parts is badly ventilated?—No.

Nor of the failure of your orders?—No.

To what points did your examination relate?—I made a return in writing, stating the names of the prisoners that were sick, their diseases, and the classes, mentioning how many prisoners I have given medicine to from one quarter session to another.

Pray, sir, was it the habit of the magistrates to examine you verbally after receiving your statement?—Sometimes they said, they were glad to see that there were no more prisoners sick, or something of that kind.

Were they in the habit, at those times, of asking you many questions as to any matters in your department, that did not appear in that statement?—No; except in a general way.

Can the generality of medicine be brought into powder or pills with equal effect as if given in liquid?—The most efficacious may.

Had you a sufficiency of phials for the purpose of administering medicine that could not properly be reduced to the two forms you have spoken of?—Yes.

Are there not means by which a medical man can ascertain whether a person has the gravel or not?—Yes; probably by the appearance of his water.

Have you resorted to those means to ascertain whether these persons had the gravel or not?—No; their complaints were generally so slight, that they have generally given way to the medicine that was administered to them; and they would frequently ask for gin, which I allowed them, and I did not often hear of any complaints of gravel afterwards.

Are we then to understand, that the complaints of gravel were frequently made, with a view to be allowed that liquor?—I believe they were often made with that view.

And you allowed them to have gin without taking any steps to ascertain whether the complaints were true or not?—Yes; I generally ordered half a pint of gin when applied for by a debtor.

Was this complaint of gravel confined to the debtors ward?—I don't recollect to have heard so much of it in any other part.

When complaints of gravel come from the felons or convicts, do you allow them gin?—No; I give them medicine. But I have not many complaints of gravel there.

Are you aware that any difference exists between the water at the felons ward, and the water at the debtors ward?—No.

Have you ever tasted the water that you speak of as having a brackish taste?—No; I don't recollect that I have.

Perhaps you have never made it a particular point of tasting the water in any of the wards?—No.

Have you been much in the practice of attending insane patients?—No, I have not.

When the governor applied to you for this blister, and told you that the man was disordered in his head, did he describe any symptoms, so as to inform you of the disorder in his head?—He told me that he was very abusive, and behaved in a very outrageous manner.

Did he describe any medical symptoms?—No.

Did you ever hear of any other prisoner behaving in a very outrageous manner?—I dare say I have in fifteen years, but I cannot speak particularly to any one.

Did you put blisters on their heads?—No.

Do you conceive that, in every case of mental derangement, it would be right, without inquiring into any of the symptoms of that derangement, to put a blister on the head?—No, certainly not.

Then, as you do not conceive a blister to be the universal application for every species of derangement, and you received no statement of the particular symptoms of this case, so as to enable you to decide what species of mental disorder it was, what was your reason for applying a blister?—Because Mr. Bridle told me that his head was in a very bad state, and he had been very outrageous, and I conceived it might do him good.

How soon, after the blister had been applied, did you see Gardner?—I do not know; and Mr. Bridle informed me, when I came the next time, that the man had become very civil, and had promised to behave better in future.

Did you ever know a case of disorder in the head, which was so violent as to require a blister, become perfectly cured with one blister, and in two days?—No; I don't know that I ever did.

Did it excite any surprize in your mind upon hearing that the man had got so suddenly well?—I thought it had been a very speedy remedy.

Mr. J. Bryer.
(2 June.)

Do you mean, as a medical man, to say that, when you ordered that blister, you ordered it for any disease, or as a punishment for misbehaviour?—I conceived that I ordered it, in a great measure, for disorderly conduct.

When you said you thought it would do him good, did you mean that you thought it would do his health good, or his manners?—His manners.

Was the strait waistcoat part of the medical stores in your possession?—No; I believe the gaol is never without one or two; they have been kept in the house, I believe, for several years.

You did not order the strait waistcoat?—No; nor did I know any thing about it till my next visit, when I was informed of the effect of the blister.

Do you remember an instance of an insane prisoner in the gaol?—Yes, one.

Do you consider a case of that kind under your care?—Yes; I attend in that case the same as in others. I remember bleeding and physicking that man, and doing what I thought to be necessary.

You said you thought that James Ford died in consequence of some violent exertions of his own?—Yes; he probably burst a blood-vessel.

Could that not have been ascertained?—Yes; by opening the body and head it might have been ascertained whether any vessel had given way or not.

Was his body and head opened, or either of them?—No.

What is your reason to suppose that he died from bursting a blood-vessel?—From his violent efforts, as I was told; there was no appearances upon the corpse by which it was indicated.

If a person dies of a fit or apoplexy, is there any appearance by which you can ascertain the cause?—Yes; by the same kind of examination.

If the man had been killed by falling from his bedstead, there would have been some bruises?—Yes; but I could not discover any.

Then your only reason for stating that he died from violent exertion was the information you derived in the gaol; with that you contented yourself?—Yes.

Do you mean that he laid violent hands upon himself, and killed himself?—No.

Then you are quite sure he was not a suicide?—Yes; I have no reason to think so.

When Mr. Bridle asked you to make this entry, "A blister for the head, for Thomas Gardner," what reason did he give for wishing you to make that entry?—He only said, "Have you entered that blister for Thomas Gardner?" I said, "No, I had not." I think he said, "You may as well," or words to that effect.

Will you take upon you to say that it was more than six weeks ago when Mr. Bridle made that application?—Yes, long before.

How much further back?—Some time soon after Christmas; it was some time before Alderman Wood made mention of it in the House of Commons.

Had you heard of Alderman Wood having visited this gaol?—Some years ago I did.

Had you heard, before Bridle made this application to you, that any noise was making in the country about Gardner?—No.

Did you understand from what Mr. Bridle said, that he had heard any thing of the kind—No.

In cases of derangement, whether persons are brought in, in that state, or become so afterwards, strait waistcoats are necessary articles to have in a gaol?—Yes.

Are they no grievance?—No, no more than fetters.

Supposing a patient to rub off his blister, what do you consider to be the best means to be used to prevent him from doing so again?—I don't know any better means than a strait waistcoat, or more convenient, or so easy.

Do you remember a prisoner of the name of Halkins?—Yes.

Have you an entry of a blister ordered for him?—No; I have only an entry of medicine ordered for him and others; a blister might be among them. The medicines were ordered by Dr. Woodforde, of which I kept no account.

Supposing Halkins had torn off a blister which you had applied to him, would you have thought it proper to have put him in body irons, to prevent his tearing it off again?—I believe that Halkins was a very troublesome jockey.

[Occurrence Book, Saturday, 29th March, produced.]

Mr. Hunt Sworn

Examined by the Commissioners.—Whose hand-writing is this entry?—Hobbs's, the taskmaster.

> [Entry.]—"At six o'clock P. M. when surgeon applied a blister to Richard Hal-
> "kins, he would not allow it to remain. Put him in body irons, in order that
> "the blister may have its proper effect."

Examination of Mr. Bryer, by the Commissioners, resumed.—Are there any rules in the gaol for your guidance?—No; I never saw any.

Do you remember that you ever said to the visiting magistrates, that it was a pity the gaol had not such a supply of soft water as there is in Dorchester gaol?—No; I have spoken of the manner in which Dorchester gaol is supplied with river water.

In order to enable poor debtors to have liquor allowed to them in their wards, it is necessary to obtain an order from you?—Yes.

In giving that order, do you consider that you are acting in a medical capacity or do you grant it merely as an indulgence?—I grant it as an indulgence when they are not sick; but if they are ill, and beer is necessary for them, I order it on the county account.

You

Mr. J. Bryer.
(2 June.)

You consider it within your province as a medical man?—It is done by order of the magistrates.

Sometimes you grant it to them in larger quantities than you do at other times?—Yes, when the parties are well.

Do you consider this prison, taken as a prison, to be healthy or otherwise?—I should not think it an unhealthy one.

Are there any baths in the prison?—No, except temporary bathing-tubs.

In cases of extreme anxiety, other medical assistance has been called in?—Yes; Dr. Woodforde has been called.

Dr. Woodforde is a physician—Where does he live?—Near Ansford Inn, eleven miles from hence.

Was it before the meeting of the magistrates at the Christmas Sessions, that Mr. Bridle applied to you respecting the entry of Gardner's blister?—It was about that time, but I can't tell whether it was before or after.

Did you ever return an account of the blister to Gardner in the report of medicines and patients to the gaol sessions?—I suppose he came in with the rest. If he was on the sick list at the time I returned him as such, but if he was not, then he came in with those that had medicines from the preceding sessions.

Ann Denman called; and Sworn.

Ann Denman.

Where do you live?—At Chilton.

Was you ever confined in this prison?—Yes, for four months.

Examined by Mr. Hunt.—How long were you kept here?—I was kept three days over my time, it was a great mistake.

What day of the week were you committed?—On a Tuesday.

[Commitment produced, signed J. Newman and W. Hoskins, dated 4th July 1820, (Tuesday) for four months.

Occurrence Book, Tuesday, 24th of October, (entry) "Discharged Anne Denman, "her sentence expired."

Occurrence Book, Tuesday, 4th July 1820: "Received Ann Denman, at six, for four "months to hard labour."

What day were you actually discharged?—On the Friday after the 24th October.

Did you mention that your time was up?—Yes, to Mrs. Hobbs, and she said my time was calender months, and my time was not up till the Tuesday after, but I told her that mine was not calendar months.

What time were you discharged on the Friday?—Between ten and eleven.

How did it happen that you were not discharged as soon as the gaol was opened on the Friday?—I don't know. Mrs. Hobbs came after me and said, come Ann, be you ready, your time's up. She took me to Mr. Pike, and he released me out of the prison.

Was any apology made to you, or any thing given for having been kept beyond your time?—No.

When you were examined before the magistrates, you stated to them the same fact as you have stated now?—Yes.

You were in gaol for having had a child?—Yes.

And were felons confined in the same ward?—Yes; there were eighteen of us, some were transports.

Cross-examined by Mr. White.—You are quite sure it was a mistake that you were kept in over your time?—Yes.

Not meant as a punishment for you?—Oh! no, not as a punishment; I did not take it as a punishment.

No person in the gaol had any antipathy against you?—No, I was always behaved to very well, and had the biggest civility.

Re-examined by Mr. Hunt.—How do you know that it was an accident?—I thought it was so in my own mind.

During the three days that you were kept in, had you not the gaol dress on, and were you not kept to work?—I had the gaol dress on, but did not work; I had my child with me.

[Adjourned at twenty minutes past 6, until Monday at 9 A.M.

MONDAY, 4th JUNE 1821.

The Commissioners assembled at the Gaol at 9 A. M.

Charles Hill called in; and Re-sworn.

C. Hill.
(4 June.)

HAVING stated in my former evidence, that John Glover was removed from our ward on account of not having paid the constable, I wish now to state, that I have since recollected that such was not cause of his removal, John Barnard, a debtor, in the upper ward, being ill, was about to be removed to a different part of the prison. Pike, the turnkey, came to the lower ward, and asked if any one would go and attend on him, and said he (the attendant) would have beer and other things found him; Glover said he would go. Then Pike went away, and Robert Lovell advised Glover not to go, as he did not know what was the illness, he might have a fever; then Glover said he would not go. Pike came a second time, and said Glover I'm come for you; Glover said he should not go, and Pike then went and told Mr. Bridle of it. Mr. Bridle came and asked him if he would go; he again refused, upon which

C. Hill.
(4 June.)

which Mr. Bridle pushed him over into the other ward, and said he would make a gentleman of him, and his allowance was then suspended.

Examined by Mr. Hunt.—Have you known of any debtor's being placed in solitary confinement?—Yes, one, Collard, belonging to the lower ward, was placed in a solitary cell below the chapel.

How long was he kept there?—I cannot say exactly, but many weeks.

Do you know whether that was done by order of Mr. Bridle or the magistrates?—By Mr. Bridle.

Without any order of the magistrates?—Yes, he was taken away directly.

Was it in consequence of a quarrel between him and another debtor?—Yes.

Were you present, and saw what took place?—Yes.

Were they both removed, or only Collard?—Only Collard.

Which was the aggressor?—I believe the other man began something about Collard's wife, that Collard had treated her improperly.

Which do you consider was the aggressor?—Not Collard, but the other man.

When Mr. Bridle ever came among you, have you heard him make use of any oaths?—Yes, at different times.

What is Shepherd the debtor?—Clerk, I believe, to Mr. Bridle.

Is he a man who has been in the habit of making schedules for the debtors?—Yes.

Is he selected or appointed by Mr. Bridle for that purpose?—I believe so.

Is Shepherd a well behaved man or otherwise?—He is not a well behaved man.

In what respect is he not well behaved?—He swears very much, and is a very great liar, a notorious liar.

Is he in the habit of swearing more than any other prisoner in the wards?—Yes, more than any one that I know in general.

Do you pretty regularly attend chapel?—I do, every Sunday, unless in case of illness.

How often have you seen Shepherd there within the last four or five years?—I don't know that I have seen him there at all within that time, or longer, I believe.

Is it notorious that he never attends divine service?—It is.

Is Mr. Bridle, the governor, a regular attendant at chapel?—No.

Between May 1820, and January 1821, how many times did he attend divine service?—Not many, five or six times. I have known him not to be there for six weeks or two months together.

Do you know whether Shepherd was in the ward during divine service?—No, he was not; I have seen him in Mr. Bridle's office as we went to chapel, and he has been there when we returned.

Have you been attended in chapel by the turnkey who kept the other debtors locked up?—Yes, in general.

Do you recollect last summer hearing a man making a noise in one of the time cells?—Yes.

What noise was he making?—A noise as if he was gagged or had something in his mouth, and seemed to be in great agony and torture, so that we could not bear to go out into the yard to hear him, it affected us so much; and we begged of the turnkey, George Bridle, that he might be removed, for we could not bear to hear him. I suppose he was removed, we did not hear him next day.

Do you remember a prisoner, Edmund Treble, being ill in your ward and dying?—Yes.

What room was he ill and died in?—That where George Goodman now is.

Was that a fit and proper place for a sick man to be in?—No; I don't consider it a proper place for a healthy man to be in.

Did you pay particular attention to Treble's illness, and make observations respecting it?—Yes; I was with him several times a day.

Do you know that he had the common necessaries and common attention requisite for a man in his situation?—No; he had not.

Had he any fire-place in his room?—No.

What time of year was it?—In February.

And was it very cold?—Yes.

Who attended him?—George Goodman.

Had he means, during the two or three last nights of his illness of getting to a fire to get him any thing warm?—No; he had not.

When any of you are ill, is the stairs door left open for you to go to the fire at night to get any thing warm?—No; it is not.

Is George Goodman ill?—Yes.

Is he confined to his bed?—Yes; some days he is not up at all.

Has he a nurse?—Yes; William Raynes.

Have you known prisoners ill, and have you been ill yourself?—Yes.

Have you ever known any that were ill in the poor debtors ward allowed access to the fire at night?—No; I have not.

Did you ever hear a band of music in the gaol on June 4th?—Yes.

Have you, at different periods, heard bands of music in the gaol?—Yes.

Do you know whether Treble had broth or meat regular?—I know he had not.

Had he during the early part of his illness, sufficient nourishment for a sick man?—No; and I am sorry to say it is never the case; people have not got that until it is mostly too late.

What do you mean by that?—When they complain, Mr. Bryer thinks they are not in want of it. You'll find that the case with Goodman.

Did

C. Hill. (4 June.)

Did any of the officers of the gaol know of Treble's being in want of that nourishment in the early part of his illness?—Yes; I told Mr. Hobbs particularly the day before he died.

What did you tell him?—That he was so ill that I thought he would not be living the next day.

Did George Bridle the officer of the ward hear this?—I don't know; but I told him of it at different times in the day, particular in the evening, when I told him and Hobbs of it.

Who was in the same room with him when he died?—George Goodman; he slept in the same room.

Do you know at what time he died?—I believe between four and five in the morning, in the month of February last.

At the time of his death, do you know of any noise being made to inform the turnkey of it?—Yes; George Goodman came into the passage outside the room, and called Hays the constable, who sleeps above adjoining me, several times before he could make him hear; we were all awoke with the noise; Hays went as far as he could to the iron gate, and knocked against the wall, and called some time before he could make George Bridle hear.

There was noise enough made to awake you all?—Yes; I believe every one heard it, that was in that ward.

Do you know whether George Bridle came?—He did not come into the ward until the usual time, about seven o'clock in the morning, or after.

Suppose a man to be taken ill, or a fire to take place in your rooms, what means have you of making the turnkey hear?—No other than banging against the wall or gate and calling; there is no bell; we should be all burnt in our beds before any one could come.

Have you often attended coroner's inquests in this gaol?—Yes; at different times.

What is the general practice of holding inquests; are the jury present when the witnesses are sworn?—No; the evidence is taken by the coroner and read over to the jury.

Do you mean that it is taken by the coroner in private before the jury are called in?—Yes; it is read over to us by the coroner.

Do you mean, that the jury have no means of knowing that the witnesses have been sworn, only by what they hear from the coroner?—Yes; that is the practice of late years; but when I came first, they were examined in the presence of the jury.

Do you mean to say that the jury, in case of any suspicious circumstances, have not an opportunity of asking questions of the witnesses?—At one time, when Mr. Scadding was coroner, and came here to hold an inquest, he read over the examination of the persons that gave evidence and attended the deceased; and I said that we should have an opportunity of hearing that which he read over from the witnesses themselves. He got up in a very great passion, and said I made a direct attack upon the gaoler and the magistrates, by not giving credit to him and the evidence that was read over to us.

Did you or he put any questions to the witnesses?—No; the witnesses were not present. Then I said I was very sorry if I said any thing wrong; I did not intend to say any thing against the gaoler or any one else.

Are any of the witnesses ever examined or sworn in the presence of the jury?—No.

Did you ever attend a coroner's inquest before you came here?—Yes, I have.

Upon any such occasion were the witnesses sworn and examined before the jury?—Yes.

Have you attended any inquest in the gaol before Mr. Layns, of Wells, another coroner of the county, when you first came here?—Yes.

What was the practice then?—The surgeon and witnesses were sworn and examined before the jury.

Since Mr. Caines, the present coroner, has held inquests in the gaol, has it been the invariable rule to take the evidence out of the jury's presence?—Since Mr. Caines came I have attended two inquests, and one of them, Mr. Palfryman, a debtor, who was a medical man, and attended the deceased, was sworn and examined in our presence, and one was not.

Latterly, when inquests have been held in the gaol, did you consider that the inquiry was fairly gone into as to the cause of the death?—No.

When Treble was ill, was there a possibility of escape, in case Goodman had been allowed to go to the fire?—No; because there were two doors towards the lodge, and one to prevent access to the ward.

You are a widower, and have daughters?—Yes.

Are the debtors daughters allowed to visit them when they are ill?—I believe not up to a month ago.

Have debtors wives, in case of approaching dissolution, been allowed to stay with their husbands at night?—No.

What time in winter are you locked into your rooms and prevented access to the privy?—About a quarter or half an hour after 4 P. M.

When are you let out in the morning, in the shortest days?—About eight o'clock.

Then you are locked up sixteen hours, without the means of easing nature, unless with a closestool, in the presence of your fellow prisoners, of some of them in the rooms, and others in the passage?—Yes.

Has this been considered a great grievance and a general cause of complaint?—Yes; ever since the alterations.

Before the alterations, had you more convenience in that respect?—Yes; we had an opportunity of using the privy until nine o'clock, when we were locked up stairs.

How many have you known sleeping in one room, and obliged to go to one nightstool in case of necessity?—Thirteen, and at one time fifteen.

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Then they have no means of easing themselves but in the presence of their fellow-prisoners?—No, except where is a passage, unless on the stairs.

Has this not occasioned very disagreeable smells, and been considered very unwholesome?—It has.

Have you ever noticed, and observed to the other prisoners, on the state of the atmosphere in your rooms?—There is no ventilation without opening the windows.

What has been the state of the room, when you have left it, and returned to it immediately?—It has been fit to knock you down, and to take away your breath.

Since Mr. Bridle has been here, what has been his general conduct to the prisoners; has he been kind and attentive, or arbitrary and tyrannical?—Arbitrary and tyrannical and partial.

[Mr. Hill, being asked, said he had nothing else to observe upon, that he was aware of.]

Cross-examined by Mr. White.—Has Mr. Bridle been particularly tyrannical and unkind to you at any time?—Yes.

Did he begin to be so soon after his appointment?—No.

When did he begin to be arbitrary and tyrannical towards you?—I can't say the precise time when he began to behave so to me.

Can you mention the occasion?—No; I have endeavoured to banish those things from my mind as much as possible.

Perhaps then you can't point out any particular instances of tyranny towards you?—Yes, I can; when I have been before the magistrates, Mr. Bridle has spoken directly, in direct contradiction to me; and has drawn the attention of the magistrates to himself and not to me; and I was sure sooner or later to receive punishment.

Any other instances of tyranny towards you?—Yes; I consider him to have been the cause of it. When we were in the ward below the chapel, if we were not out of bed and dressed when the turnkey came to unlock the doors, he (the turnkey) would lock the bed-room doors, and keep them locked till ten o'clock.

That was the turnkey?—Yes; but I considered it came from Mr. Bridle, and that it was done by his order.

You knew the time the turnkey was to come?—Yes.

And that it was your duty to be ready by that time?—No; we were not felons.

You have been before the magistrates?—Yes.

In what character; as a complainant, or as an offender?—As both; when a man speaks for himself they call him an offender.

What part of the gaol were you in when Mr. Bridle was appointed the governor?—Below, on the other side of the chapel.

Explain that. Is it in either of the debtors wards?—No.

What ward?—It is called the misdemeanor ward; originally it was the condemned ward; I have known several debtors there. There were several there with me, and at other times.

Why were you and they placed there at the time Mr. Bridle was appointed?—Because we spoke about some alterations they were making for dividing the debtors.

Were you placed there because you should be better accommodated?—No, certainly not; Mr. Acland said that the division was not going to be done for the cause that we supposed, but that those that could afford to buy a bit of meat should have it in comfort, without being in company with the shear fellows (meaning clothiers).

Then you were sent so for punishment?—Yes, of course.

And Mr. Acland sent you there?—Yes, I believe he was the author of it.

He was at that time chairman of the quarter sessions?—He was.

And was so many years?—He was.

And very frequently attended this gaol?—Yes.

I believe you opened your box yourself?—Yes; I was compelled to do it.

Mr. Bridle requested you to do it, and you acquiesced in it?—He ordered me to do it.

Do you remember his finding any paper that expressed that Mr. Acland's nose would be brought to the grinding-stone?—No, I cannot say that I do recollect it.

Can you say there was not a paper with such an expression on it?—No, I can t say; I have no recollection of such a paper.

Do you believe there was any thing of the kind?—I can't say; it does not occur to my recollection that there was, and I can't take upon me to say that there was not.

Are you quite positive that Mr. Bryer made the observation you spoke of respecting the supply of water at Dorchester gaol?—Yes; and I trust he would not deny it to my face; and if he had not, I should not have known of such a thing at Dorchester gaol.

Then if he has sworn the contrary, it is false?—If he has said he never told me so, it is.

Can you refer us to the time when the man was deprived of his bread for complaining to the magistrates?—It was a year or two after I came here, about 1807 or 1808.

Was the allowance to the constable, paid by the poor debtors, known to the visiting magistrates?—Yes, they certainly must have understood it.

It has been the known practice of the gaol not to allow the poor debtors to purchase a quart of beer a day?—Latterly it has.

How long has that practice prevailed?—I cannot say; two or three years, or more; more than that I believe.

How much more?—I cannot say; I never kept any account.

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Is it not more than ten years?—It is not ten years, I believe.

You cannot swear it has not been more than ten years?—No, I can not.

Do you remember sending a petition to the judges on the circuit, from this gaol?—Yes, in order to obtain my liberation.

Did it embrace any other object than your own liberty?—No, that did not.

Do you recollect at what assizes that petition was sent?—At Taunton spring assizes.

Do you recollect sending one to the summer assizes in 1810?—I think there was one (the one I spoke of before was two or three years ago.) I am not sure it was in 1810.

Did you ever send more than one to the summer assizes?—I do not recollect more than one.

Do you think that was ten years ago last summer?—I cannot say whether it was, or whether it was more or less.

Can you form any opinion whether it was more or less?—No.

Was it five years ago?—I cannot say.

Was it more than three years?—Yes, I should think so.

Is it four years ago?—Yes, I should suppose it is.

Five years?—I cannot say; I have no exact recollection to it, whether it may be six, or whether it may be five or four.

Do you think it was seven years ago?—I cannot say.

Do you think it was eight years ago?—I cannot say.

Do you think it was nine years ago?—I cannot say; it might be more, or it might be less; I have no recollection almost of the business. I believe there was such a thing about grievances; I have no particular recollection.

Do you believe it was ten years ago?—I cannot say.

Do you believe it was eleven years ago?—I cannot say; it is almost out of my recollection. I believe there was such a thing; as to time I cannot say.

On your oath, do you not know that it was in August 1810?—On my oath I do not know that it was in August 1810.

Do not you know, that in this very petition the practice that has been spoke of, that you were not allowed to buy a quart of beer a day was mentioned?—It might be, but I have no recollection of it.

Has that practice prevailed from the time of that petition, whenever it was, until the present time?—It prevails now.

Has that practice prevailed from that time to the present?—I cannot say; it has prevailed a long time.

Can you say that it has not prevailed from the time that petition was presented?—I can not.

Has not it been the practice for many years, not to allow the debtors to see their wives in the bed-rooms?—It has, for many years.

Do you know how many years that practice has prevailed?—No, I do not.

Do you think ten years?—I think not.

What is the longest period you can speak to?—I cannot speak to any precise period.

How long do you think?—I cannot think about it; it is many years, but how many I cannot say.

Was not that practice spoken of in the petition of which you have been speaking?—I cannot say; I have no knowledge whether it was or not.

Was it the practice when you sent the petition?—I cannot say.

Is Glover here now?—No.

Do you know when it was that Collard was put into solitary confinement?—Some time in the fall of last year, before Christmas.

Is he here now?—No, he left Wednesday or Thursday last was a week.

Do you know for what offence he was put into solitary confinement?—A quarrel, I believe, between him and another man.

How do you know it was not done by order of the magistrates?—It was on a Sunday; there was no magistrate there then.

In your opinion, the aggressor was the man that quarrelled with Collard; but Mr. Bridle might have thought differently?—Perhaps he might.

Shepherd does not prepare the schedules now; there are attornies appointed by the late act?—I believe he does it now; but I cannot speak from self-knowledge.

Who did it before Shepherd?—I did it.

Have you ever had any quarrel or misunderstanding with Shepherd?—No.

[Adjourned at 1 P.M. till a quarter past 2 P.M.

The Commissioners re-assembled at that time.

Charles Hill, called in; and Re-sworn.

Examination by Mr. White, resumed.—Is not Mr. Bridle frequently absent on his duty?—That I do not know.

As to the period you mentioned, between May and January, do you happen to know that he was frequently absent during that period?—I do not know when Mr. Bridle is absent; I know he often goes with convicts.

Is there not a good deal of writing for a clerk to do in Mr. Bridle's office?—Probably there might.

You did not see the man who made a noise as if he was gagged?—No, I did not.

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You have seen men gagged?—No, I never did.

Have you heard men make a noise that have been gagged?—No, not but that man.

Then how do you know, that this man made a noise as if he was gagged?—From information that I received from John George, who has been at Shepton Mallet gaol.

Is John George here now?—Yes; he is a debtor in the same ward that I am in.

And that was the only reason you had for saying he was gagged?—I considered at the time that there was something in his mouth, but in what form I cannot tell.

If he had the tooth-ache or swelled face, or any thing else the matter with his jaws, might he not have made such a moaning?—No; I never heard any person make such a moaning who had a tooth-ache or swelled jaw; I have had it myself without making such moans.

Then will you swear that he must have been gagged, or that he would not have made that noise?—No, I will not swear it, but I supposed he was, or he would not have made such a noise.

Was Treble placed in the place you describe as so unfit for him, because it was so unfit?—No.

Do you know why he was placed there?—No.

Did you, or any one else, on his behalf, complain of its being an improper place for him to be placed in?—No; but I have mentioned it to the turnkeys as a very improper place.

Did you point out any situation that was more fit for him?—No, I did not.

Was there any place more fit for him?—That I cannot tell; I do not know what parts were unoccupied in the gaol.

Do not you know that the gaol was so crowded at the time, that he could be placed no where else?—No; but I knew the gaol was very much crowded.

When did you complain he was not in a situation to be removed?—We spoke of it to the turnkeys sometime before he died; because, if I had made a complaint, perhaps I should have been removed.

How long has it been the practice to lock the staircase door?—Ever since it has been a ward, and that I have been in it.

How long have you been in that ward?—I cannot say, it is many years.

Is it ten years?—I cannot say; it may be, or it may be more or less.

Is it two years?—Yes.

Is it three years?—It may be four, or it may be more.

Are you positive it is four years?—Yes, it must be five, six or seven, or it may be more.

Are you positive to five?—I should suppose it must.

Are you positive to six?—I cannot say.

Are you positive to seven?—I can't say, I don't recollect the time.

But you won't say, it is not ten?—No, I will not say it is, or is not.

Do you know by whose order it was kept locked?—Mr. Bridle's, I believe; I heard the turnkey say so.

Did you hear the turnkeys say who ordered Mr. Bridle to keep it locked?—No.

Did you complain that Treble had not proper nourishment?—No, I had reasons; we have spoken of it, but not complained.

I believe every means are used to prevent fires in the gaol; the fires and candles are put out in the kitchen; no lights are allowed after the fires are put out?—No.

Then you are under no dread of fire, in a place so regulated?—No, not from general causes.

There is no exception in the general rules respecting debtor's wives being permitted to visit in case of apparent dissolution?—No, I believe not.

Did you ever complain to the magistrates upon the ground of not being able to have access to the privy, after being locked up?—No.

You never told them of this great grievance?—No; if I had known so much before as I have since, I should never have made any complaints, for I have found the ill effects of it.

Though the rules and practice of the gaol prevent your having access to the necessaries after you are locked up, is there not every convenience afforded for your accommodation after you are locked up?—No, there is not.

What convenience have you required that has been refused?—There has been no night-stool there at times at all.

Have you ever known a night-stool applied for and been refused?—I don't know that a night-stool has been refused, but I know that there has been none for some time after being applied for.

Have you not one generally placed in your bedrooms?—No, not generally; latterly there has been three to the ward. There is one between two rooms, and we generally keep it between them on the landing-place.

How long has it been the practice to keep it there?—At first, it was kept in our room, and afterwards we removed it outside the door for the accommodation of the other chamber.

Has it been placed there two years?—I cannot say; it may be two years; I have no recollection.

And you have known an instance of its being complained of to the magistrates?—No, I do not.

When Mr. Bridle was first appointed governor, did he do any thing to get you removed back to the debtors wards?—Some time after he came here. I understood before, that the magistrates wished me to apply to go back, but I did not. Then Mr. Bridle spoke to me of it, and wished me to address a note to the magistrates, they being here at the time, which I did.

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In consequence of Mr. Bridle's requesting you to do it?—Yes, and from what I heard before; but I should not, perhaps, have done it, if Mr. Bridle had not spoke to me about it.

What followed?—On receiving my note, the magistrates called me in, and after addressing them as I had done in the note, I was at liberty to go back.

You were removed again in 1815, were you not?—Yes.

Were you, before you were so removed, taken before Mr. Acland and another visiting magistrate?—I was taken before Sir John Acland and a visiting magistrate; but whether there was more than one visiting magistrate I do not know.

Was it by their order that you were removed?—I was told by Mr. Bridle it was so. Mr. Acland said in my hearing, that he should take care I should be removed, where I should not write again for the debtors.

Do you recollect what you had been writing to Sir John Acland?—I think it was something about a letter that I had written for one Charles James.

Was Charles James an insolvent debtor in custody, and then about to take the benefit of the insolvent act?—I believe he was.

Do you recollect what was the purport of that letter?—I don't recollect.

It was nothing about his concealing his property, or his deeds?—I don't recollect, its so long ago; what he told me to write, I wrote.

Can you say it was not about concealing his property, or his deeds?—No; it was about his business, and I wrote what he told me to write.

Was he not remanded on account of that very letter?—I don't know; I can't say whether he was examined or removed; I was not at the sessions.

Did you see him after he was removed?—Yes; he was with me in the ward after he came back from the sessions.

Did he tell you that was the cause of his being removed?—I don't recollect; he might have said so, or he might not.

Did he tell you he had been threatened with an indictment for perjury?—I don't recollect it.

When did you first petition the House of Commons?—I can't say how many times I petitioned the House of Commons, but I believe the time you allude to was soon after I was removed to that ward about James.

You are sure it was after that?—Yes; it was while I was in the ward.

Then you were not removed to that ward for petitioning on that occasion?—No.

Then, if you have stated that to have been the cause of your removal in another petition that you lately sent to the House of Commons, that is untrue?—I was not removed on that account.

You read, or heard that last petition read, before you signed it?—I heard the greater part of it read; I was not in the room when it was begun reading.

How came you to sign a petition, the whole contents of which you did not know?—There was a copy drawn of it first; I believe I read that; and I considered the petition was a true copy of that.

By whom was the copy made that you read?—Childs.

Did you compare it with the original that you signed?—I did not.

Did you read the petition which you signed?—No.

Then it might have contained facts that were untrue, as you did not read it?—I can't say; I did not read it.

If you stated in that last petition that you was put into the place of which you have been speaking, for having sent a former petition to the House, that statement is untrue?—I was not placed there for petitioning; that statement is incorrect.

Was any attention paid to the petition in 1815, by the magistrates of this county?—I don't know what attention they paid to it; they paid none to me, as to any redress. Mr. Dickinson came down from the House in the gaol, and said I had petitioned the House; and I said I had; and he asked me what the petition was, if I had a copy of it. I said I had no copy of it, and if he was in the House he must have known what the petition was. He asked me many things, which I answered him; and whether I had any complaint to make to him; and I told him no, I should make none to him; that I had made many complaints to magistrates without redress, and I should make no more. Then he said, I suppose you mean to make complaints to the House of Commons. I said, I do. That I believe was the end of it at that time.

No magistrate was with him at this interview?—I don't recollect that any magistrate was.

How long was it afterwards before you saw Mr. Dickinson again?—I can't say how long it was.

Was it a long time or soon?—Not very long, but how long I can't say.

What magistrate was with him on the second occasion?—I don't know; there was somebody with him, but I don't know who.

You don't know whether there were one or six magistrates?—I can't say; it is so long ago.

Was Mr. Goodford one of them?—He might; I don't recollect whether he was or no.

Mr. Napier?—I don't know him.

Do you know that he was not here?—I can't say.

Mr. Moody?—I rather think he was; but I am not certain.

Mr. Hanning?—I can't say; I do not recollect.

Can you say he was not?—No, I can't say.

Mr. Poole?—I can't say.

Do you know he was not?—I can't say.

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Mr. Whalley?—I can't say whether he was or not.

Mr. Clark?—I don't know such a magistrate.

Was there not a large body of magistrates attended on that occasion?—Really I cannot say how many there was; I did not charge my memory with it; I do not recollect.

Did they pay any attention to your complaints on that occasion?—I had no redress.

Did they hear any thing that you had to say on that occasion?—No doubt they heard what I did say.

Do you recollect what you did say?—No, I do not.

Do you recollect the substance of it?—I recollect so far, that I said I should make no complaint to them.

Did you not know that this respectable body of magistrates were assembled on purpose to hear your complaints?—No, I did not; I knew nothing of it till they came.

When they were here, you knew for what purpose they came?—No; but I judged of it by their asking me questions.

What questions did they ask you?—I cannot tell.

What was the tendency of those questions?—I don't know; they might refer to the substance of that petition; but I don't recollect.

What complaints had you been making to them?—None.

You say you do not recollect the questions that the magistrates put to you, yet you remember the answer you made to them, that you should make no complaint?—I do not remember the questions, or their tendency, but I understood it was on the subject of the petition; and probably they asked me what complaints I had to make; but I told them I had none to make, and should make none; and so I told them many times.

What was the result of that investigation?—I do not know; only that I had no redress.

How were you at last removed from that ward; was it on the recommendation of Mr. Bridle?—No, it was not; there were several removed at the same time; there was no recommendation that I knew of.

Has Mr. Bridle ever assisted you in preparing your accounts, and in petitioning for your discharge?—Yes.

Do you remember of any instance of his refusing to assist you in petitioning?—No; I do not know that I ever applied to him, only that time that he did assist me.

Then has he always afforded you his assistance when you solicited it?—In that respect he has.

That was a subject of great importance to yourself, was it not?—His good will was not the less, although it was not successful.

Was it not of great importance to you?—Yes.

Did you ever know him refuse his assistance to any debtor, to assist him to procure his discharge?—I do not know that he ever did.

Have you not known many instances where he has afforded facilities to debtors to enable them to procure their discharge?—I believe he has many times.

You have been in the habit, when you have wanted Mr. Bridle's assistance, of writing notes to him?—I have wrote him many notes.

Should you know any of them if you were to see them?—I should know my own hand-writing.

Is that your hand-writing (producing a note), No. 1?—It is.

Is that (No. 2.)?—Yes.

Is that (No. 3.)?—Yes.

Is that (No. 4.)?—Yes.

Is that (No. 5.)?—Yes.

Is that (No. 6.)?—Yes.

Is that (No. 7.)?—Yes.

Is that (No. 8)?—Yes.

What did you pay the constable for?—For sweeping the ward, and lighting the fires.

For being your servant and at your command?—He is the servant of Mr. Bridle.

Then he is not the servant of the ward?—No; we consider him the servant of Mr. Bridle; and he is appointed by Mr. Bridle.

Is it the practice of the gaol, though not recorded in the rules, that a poor debtor, receiving the county allowance, cannot have beer but by order of the surgeon?—Yes.

Is not this the condition upon which he has the county allowance?—I know of no condition in it. When I first came here, we had beer as well as the allowance.

Might not any poor debtor give up his allowance, and go to the upper ward when he pleases?—I suppose he might.

If a debtor be brought into the gaol very poor, has not Mr. Bridle given him the county allowance before a magistrate has been applied to?—Sometimes, on a certificate obtained he has done so.

Are not debtors allowed to go up stairs to write a letter, or do any private business if they apply?—I have known them refused; generally they are not allowed to write up stairs.

Did you ever know it refused without a reason?—Yes, the turnkey has only said it's not allowed.

When you have known the application successful, have you known their wives taken up?—I have no wife myself, and I never went into other rooms to see.

When you have known the indulgence granted, did you ever know the wife refused to be permitted to go up with her husband?—Yes, I have.

In more instances than one?—Yes.

How

How many?—That I cannot say.

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Did you ever know the wife, on those occasions, accompanying the husband?—I cannot say, but those things might have happened; I have turned my back, and gone out of the ward.

You are speaking of times when the husband has been indulged with permission to go up stairs?—Yes, in answer to your question.

Do you recollect, when Collard returned from solitary confinement in the ward, his saying that he would rather be there with his wife than be with the other debtors?— I think there was something of the kind said, but I cannot judge of his motive for saying so.

Did he say he could employ himself at his trade there, without being interrupted?—I do not recollect that any thing of that kind was said.

Do you know whether he ever applied to be removed from that refractory or solitary ward?—I do not know that he did, or did not.

Has he not told you that he was removed without making any application?—I think there was something of that kind said.

Was not Collard removed for holding a knife up to another man and threatening his life?—I believe he was. In the quarrel, the man held his fist up to Collard, and said he'd knock his teeth down his throat, and Collard said, if he struck him, he'd run the knife into him. I generally leave the room when there are any words.

Was it not the opinion of yourself and several others, that it would be dangerous for Collard to remain in the ward?—I don't know; it was not my opinion; I never saw the man offer any violence to any one.

How many hours was Treble confined to his bed before he died?—I don't know.

Can you guess at the time he was confined to his bed?—I think he was up two or three days before he died.

What time did Mr. Robertson attend him before he died?—I understood some time after we were locked up on the night on which he died.

You don't know how long after they were locked up?—No.

Is the passage door that leads to the door, shut in winter time before dark?—It is generally dark about four, or half-past four.

Then, of course, the time of locking your doors is regulated by the season of the year?—Generally.

When the days are at the longest, what time are the doors then fastened?—Eight or half-past eight, and I have known three quarters past eight, but sometimes the clock is half an hour too fast, and sometimes half an hour too slow, and sometimes, no time at all.

Sometimes it may have been past nine before you were locked up?—It might.

At what time in winter, are your bed room doors fastened?—At nine.

Does Mr. Bridle ever attend or interfere, when the coroner has held his inquests?—I have never seen him, unless he has been sent for.

Do you know, when the inquest was held, that Mr. Scadding attended?—No; I don't recollect the time.

Do you know the name of the man on whose body that inquest was held?—No; I know where his body lay.

Was his name Dix?—I rather think it was.

Was Mr. Bridle at home or absent at that time?—I think he was at home, but I am not certain.

Did Dix's brother attend the examination?—I think his name was read over to us as a witness; I think he was one that attended as a nurse.

Might not you have been discharged in 1809, without any expense or trouble to yourself?—No; I don't recollect any thing of the kind.

Don't you know of a subscription that was set on foot, at Bath, at the time of the jubilee?—Yes.

Might you not then have been discharged?—No.

If you had chosen to avail yourself of that subscription?—No; I applied, but was refused; the debtors, in general, applied.

You mean to be positive to that, that you applied, and was denied?—Yes.

Do you deny that the fund was offered to you, and refused by you?—Yes.

Was it offered to you on any conditions?—I don't recollect that it was.

Not on any conditions?—I don't recollect any thing of the kind.

Do you know Mr. Else, of Bath?—Yes.

He was clerk to the commissioners of taxes?—I don't know; he was secretary to the subscription for the relief of insolvent debtors.

Re-examined by Mr. Hunt.—Was any such paper as that alluded to, respecting bringing Sir John Acland's nose to a grind-stone, returned to you with your papers?—I don't know of such a paper; I have not looked over them minutely; I have not seen it.

Do you know that in Michaelmas sessions 1810, the quantity of beer was reduced to one quart from three pints?—Yes.

How long afterwards was it before it was entirely taken away?—I do not know.

Has any man, for the last seven or eight years, been able to take his wife into his bedroom, unless by stealth?—No.

Your last petition to the House of Commons was presented by Mr. Baring, and was signed by yourself and several other debtors?—Yes.

It was not in the last petition that you signed, in which allusion was made to your being removed

C. Hill.

(4 June.)

removed from your ward?—No; but there is something of the kind contained in a former one presented by Alderman Wood.

If there is a statement in that petition in the terms before stated, that statement is erroneous?—Yes, it is.

Was it not one of the complaints made against you, the having in your box copies of petitions to the House of Commons, and copies of warrants, and things of that kind?—Yes.

Was that not one of the reasons assigned for seizing your papers?—Yes.

In your petition that was presented by Alderman Wood, you meant to allude to that circumstance?—Yes.

You understood from Mr. Dickinson that he came down on purpose from the House of Commons?—Yes.

On the second examination of the magistrates, were you taken before them at all?—I don't recollect that I was. The magistrates came to me to the ward.

Have you ever known a poor debtor brought in who was refused the county allowance till he got the certificate?—Yes, frequently.

Are there any poor debtor's in your ward who were brought in and placed in the upper ward, and would have starved but for the charity of fellow debtors?—Yes; three or four who were seven days there with only one county loaf; we sent them over bread from our ward, and were nearly getting into a scrape through it. Charles Marshall, assistant turnkey at debtors ward, threatened to report us.

What are their names?—William Lewis, Edmund Muggleworth, John Hill, I don't recollect the name of the other.

Were these men when they came into your ward so poor that they had not a penny in their pockets?—It appeared so to me.

Did Collard make any advance towards carrying his threat into execution?—No; he had the knife in his hand doing something, but I was not present during the whole of the quarrel, but there was no blow on either side, as I was told by the others.

Where did Dix lay?—In what is sometimes called the infirmary, and sometimes the boys ward.

If you had been offered to be discharged in 1809, should you have accepted it?—Yes.

Examined by the Commissioners.—You have stated that Shepherd was in Mr. Bridle's office on your going to and on your return from chapel, now did that occur upon more occasions than one?—Yes, many times.

Do you, ever since you have been here, remember the poor box being opened, or any money divided amongst the poor debtors, as coming from the poor box?—No, I do not remember the poor box being opened until lately; since the investigation began, money has been divided between us, but I never understood it as coming from the poor-box.

Who divided that money among you?—Mr. Shepherd generally had the management of it. It was first taken to the upper ward and divided at so much a head, and then our share was sent down to us.

Was any information given to you as to the source from whence that money came?—Yes, sometimes it was said it came from a lady, and sometimes from an unknown person.

Do you apprehend that the money said to have come from those sources was left in the gaol for distribution among the debtors, and described as coming from such quarters?—I don't think it came from the poor-box, we have had money sent from Bath.

Do you ever recollect any money sent to you from the upper ward, or from any other quarter, described to be taken from the poor-box?—No, I do not.

What was the reason you could not have river water before Collard went away?—Collard and Raines had a pitcher between them, and now it is brought in that pitcher for Raines and me.

Did Mr. Bridle inquire into the quarrel between Collard and the other man, and hear what they had to say, and those who were present?—Yes, he did.

You never had an opportunity of ascertaining what situation the man was in that the noise came from who seemed to be gagged, or to have something in his mouth?—No.

Do you find that since you have used the river water, it has been advantageous to you, and does it agree with you?—Yes; when we make tea with it, the tea, such as it is, has quite a different taste to that made with hard water. Collard and Raines, as well as others, have described that it was very serviceable to them.

James Marsh called in; and Sworn.

J. Marsh.

Are you a prisoner in this gaol?—Yes.

Have you been tried?—Yes.

Under what sentence are you confined?—Two years imprisonment.

Was it for felony?—No, misdemeanor.

How long have you been in the gaol?—Nineteen months.

Examined by Mr. Hunt.—Were you a master shoemaker before you came here?—I carried on business for my father.

What have you been employed in since you came here?—Foreman in the shoemakers shop.

Have you always worked for the county, or for other persons?—Sometimes I have been employed to work for the county.

Have you ever made any boots and shoes for any of the officers in the gaol?—Yes.

Have

J. Marsh
(4 June.)

Have you done any work for Mr. Bridle?—Yes, repairing his boots.

Did he ever pay you any thing for the work you did for him till since this enquiry began?—No.

How much was your bill to him?—Seventeen shillings; I sent it in since the inquiry began.

It was paid?—Yes.

Did you send any bill for Mrs. Bridle at the same time?—The day before.

How much was that?—One guinea.

Was that paid?—Yes, by Mr. Bridle.

When was that bill paid?—The week before last.

Did Mr. Bridle purchase the leather for repairing his boots?—Yes; out in the town.

He bought the leather; and who found wax and paste?—The county.

Did he say any thing against Mrs. Bridle's bill?—No, not a word.

Did he purchase the leather for Mrs. Bridle's shoes?—Mrs. Bridle gave me the upper leathers and jean.

What were the bottoms made with?—County leather.

Who else did you work for?—I made one pair of shoes for Pike, one pair for his wife, and a pair for his daughter.

Where did Pike's leather come from?—He always found his own.

But where did he find it?—I don't know; he always brought it to me.

Did Pike pay you for this work?—Yes.

Does a boy, named Street, work in your shop?—Yes.

How old is he?—About thirteen years.

Who does he sleep with?—Me, and three others, who sleep in the same bed with him; we put the beds together, and sleep all in a row.

Is it a practice for boys and men to sleep in the same beds?—Yes; it has been almost ever since I have been here.

Where does Street stay when he leaves work?—In the time yard, among all the men.

Is that a proper place for a boy to be put in?—No, not at all.

Is it possible that he can learn any good?—No; it is impossible for him to learn any good; he may learn bad.

Is not the language and things going on in the yard, such as must be very injurious to such a boy?—Yes.

Are there not men there for all classes of crimes?—Yes.

Are they not, some of them, so hardened, that they boast of the way they commit robberies before all the ward?—Yes.

And before this boy?—Yes.

How are men, confined in this prison, allowed to see their friends?—Three times a day at the visiting room in the lodge, where the felons see their friends.

The friends of men sentenced to hard labour are obliged to have an order from a magistrate before they can see them?—Yes.

Have you ever been prevented from seeing any of your friends?—Yes, my wife.

Where does she live?—At Bath.

Did she come from Bath to see you?—Yes, she came about ten months ago, in July, and asked to see me, and was denied; she then asked to see Mr. Bridle, and asked him if she could see me; Mr. Bridle told her she could not, the whole time I was here; at last he did let her see me, which was for a quarter of an hour.

Was she sent away at the end of that time?—Yes.

Did she come intending to stay three or four days in Ilchester?—Yes.

Did she see you afterwards?—No.

Did Mr. Bridle, or any officer in the gaol, ever say any thing to you about it?—No.

Did you consider it a great hardship being prevented seeing your wife?—Yes; I don't find that any prisoners for felony or misdemeanor have been refused seeing their wives.

Is there one Dredge in your ward?—Yes.

For what offence?—Attempt to commit sodomy.

What sentence is he under?—Two years.

Do any men sleep in the same cell?—Yes; several men have slept in the same cell with Dredge, at different times.

Who sleeps in the same cell with him now?—A man named Howes, but not in the same bed.

Is George Stillman in your ward?—Yes.

Have men and boys slept in the same bed with him?—Yes.

What offence is he imprisoned for?—An unnatural offence with a mare.

Have you ever heard any of them complain that he had behaved improperly to them?—Yes, James Johnson.

Did Johnson say Stillman behaved indecently?—Yes.

Cross-examined by Mr. White.—What has been Mr. Bridle's conduct to you?—He has behaved very ill to me, in depriving me of seeing my wife.

What was the reason for that?—I don't know any particular reason.

Examined by the Commissioners.—Don't you know what reason?—No.

Have you known a fellow-prisoner go out of gaol one day, and return to visit you the next day?—Yes, my own shopmate, William Francis; he was in this gaol three times before.

For what purpose did he come the next day?—He came to take his money; and then he asked to see me.

J. Marsh. (4 June.)

Is Stillman here now?—Yes.
Does any one sleep in the room with him?—Yes, I believe so.
Is Dredge here now?—Yes.
Is Johnson in the gaol now?—Yes.
And in your ward?—Yes. [Adjourned at 7 P. M. until nine to-morrow morning.

TUESDAY, 5th JUNE 1821.—Commissioners re-assembled at 9 A. M.

William Pitcher called in; and Sworn.

W. Pitcher. (5 June.)

WHERE do you live?—At Preston, near Yeovil.

Examined by Mr. Hunt.—Did you receive a summons of the Commissioners to serve upon Chamberlain?—Yes, to serve upon James Chamberlain, a leather-scraper, of Yeovil; I received it last night.

In consequence of receiving that summons, what steps did you take?—I went to Yeovil this morning at six o'clock, and called at his house; he was gone to work at Mr. Greenham's, in the same place. I went to Mr. Greenham's, and found Chamberlain scraping leather in the scraping-shop. I called him down, and he came down; and I gave him the summons, and told him he must come down to Ilchester by nine o'clock. He said he should not come. I told him he would be liable to be committed, if he did not attend; he said he had been ill yesterday, and he could not come. I told him, then, he must abide by the consequences; and I came away.

Did you explain to him what the summons was on?—Yes; and I told him that it came from the Commissioners.

Did he appear in so bad a state of health as to be unable to attend?—He did not appear very well, and his wife told me he had been obliged to come home from work yesterday and go to bed. He refused to take the summons; I pushed it up against him, and it fell down. I did not read it to him; I don't know whether he can read. I told him it was a summons, to come here to give evidence before the Commissioners; so as not to be left in any doubt as to the object of the summons.

From his appearance, have you any reason to believe that he was so unwell as not to be able to come to Ilchester?—I think he was as able to come to Ilchester as to go to work.

Edward Coles, Esq. called in; and Sworn.

E. Coles, Esq.

Do you, as clerk of the peace, keep the bills that have been passed, by the magistrates in sessions, relative to the expense of this gaol?—Yes.

Have you any with you?—Yes, vouchers of the Epiphany sessions 1819, and other vouchers.

Examined by Mr. Hunt.—Have you Morgan's bill of that sessions, No. 27?—Yes, with a receipt. It relates to articles had for the use of the gaol, and delivered between October 1815, and December 26th, 1818, inclusive.

Mr. Bridle Dr to William Morgan, for the use of this prison.

		s.	d.
1818.—October 15th.—Six pounds of candles	- - - -	6	9
17th.—Four gallons of vinegar	- - - -	10	8
November 10th.—Four jugs	- - - - - -	4	6
10th.—One jug and three wash-hand basons	- -	4	3
10th.—Ten basons	- - - - - -	4	2
18th.—Two pickling jars	- - - - -	3	2
December 4th.—Three pounds of candles	- - - -	3	4½
26th.—Six basons	- - - - - -	2	4
Two jugs	- - - - - - -	3	10

Received January 20th, 1819, with other items, to the amount of two pounds fifteen shillings and nine-pence. (Signed) *William Morgan.*

Have you Say's bill, No. 16 of the same session?—Yes.

Wells, November 11, 1818.

Mr. Bridle, bought of Robert Say, wholesale and retail grocer and tea dealer,

One chest of white soap.

Cwts.	qrs.	lbs.		Cwts.	qrs.	lbs.		£.	s.	d.
2.	2.	7.								
0.	1.	12.								
				2.	0.	23.	- 116s. - -	12	15	10

Two boxes yellow soap.

2	15	tare	13									
2	16		12									
1	1	3	25	1	0	6	- 188s. - -	5	13	9
Chest, 6s.; boxes, 5s. - - - - - - - -								—	11	—
								19	—	7
Chest and boxes returned - - - - - -								—	11	—
								£. 18	9	7

Receipt, dated March 20th, 1819. (Signed) *Robert Say.*

E. Coles, Esq.
(5 June.)

Have you Say's bill passed at Midsummer 1819, No. 8?—Yes. [*Produces it.*]

Wells December 14th, 1818.

Mr. Bridle, bought of Robert Say, [*as before*]

	Cwt.	qrs.	lbs.		£.	s.	d.
Chest of yellow soap,	2.	1.	16.	102*s.*	12	4	1
Two boxes white soap,	1.	0.	14.	110*s.*	6	3	9
28 lbs. of moist sugar				9½*d.*	1	2	2
One bushel of grits				14*s*	—	14	—
Chest, 6*s.*; boxes, 5*s.*; bag, 2*s.*					—	13	—
					£. 20	17	—

Second bill, December 7th, 1818.

	Cwt.	qrs.	lbs.		£.	s.	d.
Two boxes of yellow soap	1.	0.	7.	108*s.*	5	14	9
Two boxes					—	5	—
					£. 5	19	9

Another bill, 3d October 1818.

	£.	s.	d.
One bushel of grits	—	14	—
¼ cwt. moist sugar, 90*s.*	1	2	6
	£. 1	16	6

(County.) Another bill, December 7th, 1818.

	£.	s.	d.
Half a bushel of cut grits, 14*s.*	—	7	—
Amount of all	29	—	3
Deduct chest, 6*s.*; boxes, 10*s.*; bag, 2*s.*	—	18	—
	£. 28	2	3

Received May 24th, 1819. (Signed) *Robert Say.*

Have you Drew's bill of same sessions, No. 13?—Yes.

Mr. Bridle, to George Drew, Dr.

1819.		£.	s.	d.
January 22.	To 14 cwt. of straw, 2*s.*	1	8	—
March 13.	16½ - d°	1	13	—
— 31.	16½ - d°	1	13	—
		£. 4	14	—

Receipt, dated 26th April 1819. (Signed) *George Drew.*

Have you Penny's bill, No. 21, same sessions?—Yes.

Shepton Mallet, March 26, 1819.

Mr. Bridle, for the county of Somerset,
Bought of J. T. and S. Penny, wholesale grocers and tea dealers, Cornfactors, mealmen, maltsters, &c.

For soap (4 boxes) £. 20. 13. 5.

Receipt, dated June 16th, 1819. (Signed) *Samuel Penny.*

Have you Ryall's bill, No. 24?—Yes.

Mr. Bridle, for county, to James Ryall.

1819.—January 1st to March 30th. Candles and rushlights £. 5. 0. 6.

Examined *M. H.*

(Second Bill.) For the County, to James Ryall.

	£.	s.	d.
56 lbs. of candles delivered to the taskmaster and three turnkeys, from the 2d January to the 10th of April 1819, being 14 weeks, at 1 lb. per week, each 13½*d.*	3	3	—
7 lbs. of rush candles, delivered to the taskmaster for the use of the county	—	7	10½
Examined *M. H.*	3	10	10½
Amount of both bills	8	11	4

Receipt, dated 26th April 1819. (Signed) *James Ryall.*

E. Coles, Esq.

(5 June.)

Have you Ryall's bill for groceries?—Yes.

Mr. Bridle, for the county, to James Ryall.

1819.—January 1st to April 1st. Groceries - - - - £. 18 10 9

Receipt, dated 26th April 1819. (Signed) *James Ryall.*

Be so good as to state how much lump sugar and coffee are charged in that bill?—Fifteen pounds of lump sugar and seven pounds of coffee.

What is that paper put in by Samuel Hobbs in the investigation by the sheriff and Mason, 25th April 1821, and spoken to by him in his evidence; did he state it to be the copy of an order that he carried for articles for the sick?—Yes. [*In pencil.*]

["March 9th. 1 lb. of tea; 3 lbs. of sugar; 1 peck of grits; 1 oz. nutmeg; 1 lb. of coffee; 1 lb. of butter, for the sick."]

[Mr. Coles's evidence adjourned.

Richard Pike called in again; and Sworn.

R. Pike.

Examined by Mr. Hunt.—Do you remember Marsh's wife being refused admittance to see her husband?—I do.

What is your rule in the gaol with regard to the wives of prisoners for misdemeanors; where do they see their husbands?—In the room at the lodge.

What class of prisoners is it necessary to have an order from the magistrates for their friends to see them?—Those committed to hard labour.

Was it by your own discretion, or by the order of any one, that Marsh's wife was prevented seeing him?—By order of Mr. Bridle.

Cross-examined by Mr. White.—Do you know the reason assigned by Mr. Bridle for that order?—I don't know of any other than her having been an inmate of the gaol before.

Is it the practice of the gaol to prevent those who have been prisoners from coming in again?—It is in some instances refused; and I have known them permitted to visit.

In those instances where they have been allowed to visit, particular reasons have been assigned for it?—There have been reasons assigned for it.

And if those reasons have not been approved of, the parties have been refused admission?—Yes; after I have stated them to Mr. Bridle.

If Mr. Bridle had not been at home should you have considered it a sufficient cause to refuse admission, if the party had been a prisoner before?—I should not have refused, because I never saw any written order to that effect.

Re-examined by Mr. Hunt.—How did it happen that Marsh's wife was allowed to see her husband three months before?—I don't know, perhaps I let her see him without mentioning it to Mr. Bridle.

Did you know that Marsh's wife was a prisoner in gaol?—I don't recollect that she was in my time; I rather think she was not before I came.

[N. B. *Marsh was confined for an offence relating to bad money, and so was his wife.*]

Henry Child called in; and Sworn.

H. Child.

Where do you live?—At Bath.

Were you ever a prisoner in this gaol?—Yes, a debtor.

How long were you so?—Twelve months and three days.

When were you liberated?—May 13th, 1821.

Examined by Mr. Hunt.—Were you a debtor in the lower ward?—I was.

When you left the ward, how many prisoners did you leave in that ward?—About twenty.

How many have you known occupying that room?—I am not certain; I think thirty-seven.

Were you at that time exceedingly crowded?—Oh! very so indeed.

So much so as to be unwholesome?—It is generally unwholesome, on account of the closeness of the place; but then it was particularly so.

Did you consider that you had all the accommodation in the ward that you were entitled to?—No, we did not.

Was there any restriction or privation that you generally considered a great hardship?—Yes, the garden.

How was that?—We were not allowed to walk on that part appropriated to a garden.

Was that garden so situated as to occupy the whole of the ward upon which the sun shone in winter?—Yes.

For some months in winter then, were the debtors in your ward deprived of the benefit of the sun?—Yes; unless they happened to peep out of any of the windows up stairs.

Had the debtors any situation (to which a decent woman could be taken) where to see their wives?—No.

When your ward was full, was there any situation where the wives could come to with propriety?—No; they could only go to the general ward, or the conversation room, and that was as bad. It was generally crammed full, particularly in conversation hours.

Can you tell how many debtors have been confined in the gaol at one time?—While I was here I think I have known between sixty and seventy.

If

H. Child.
(5 June.)

If they had at that time two friends each, was there any place where they could see them?—Not unless the passages were crammed full or nearly full.

Was there any place in the gaol where a debtor could see his wife, friend or attorney in private?—No, not that I know of.

Where were the debtors allowed to see them?—In the common room or conversation room

You have been in both wards?—I have.

In both wards were the debtors prohibited seeing their wives in their bedrooms while you were there?—Yes; until within a few days of my discharge, and after the magistrates investigation began; about a week before I left, the key of the stair case door was left in the door; before that it was taken away in the morning and the door kept locked till evening.

When women came to see their husbands, where did they have that connection together which God and nature designed they should have?—I have seen them in the privy together in such a situation as to leave no doubt in my mind as to what was transacting between them.

Was there any other place where it was understood that connection took place?—Yes, in the conversation room. I was told by George Bridle, that he had seen a man and his wife having connection together in the conversation room.

In the conversation room, during visiting hours, could you have had any woman of any character or class to visit you?—Yes; except Sundays, when relations only were admitted.

Is it a place, with respect to the association, to which you would take a wife or daughter to?—No; the conversation is such there, that I should think it a very improper place to take either a wife or daughter to, or any female friend that I respected.

What sort of a room is it in winter?—The walls, tables and stools are in such a state as to resemble the barrel of a pump after a frost. The water stands so thick upon them, that by only rubbing a finger, a pint or even a quart might be very soon caught.

Has it a fire-place?—No; and has a stone floor.

Did you ever see the sun shining into it?—No.

Have you ever known the debtors in the ward complaining of the cold in the conversation room?—Yes.

Is it a room in which in winter a person accustomed to the common comforts of life could sit for any length of time without danger?—I consider it a very improper place, even for those accustomed only to the rude comforts of life.

Could a person, accustomed to the common comforts of life, sit in it half an hour without endangering their lives?—No.

Who has acted as gaoler's clerk since you came here?—Edward Shepherd.

Did he draw up schedules, and do other writing for the debtors?—Yes.

Was he exclusively permitted to do so?—It was generally understood that no other person should do it. If any other persons attempted to do it, their labours were generally attended with great inconvenience.

What do you mean by inconvenience?—Something or other was generally put out of the way. I was told, that if any other person did it except Shepherd, I must expect some blunder or other, so as to impede the procuring a discharge as readily as if I employed him; frequently little things such as affidavits were wanted.

Was Shepherd always considered amongst you as the confidential agent of the gaol?—He was.

From his general character and habits, was he a proper person to be so employed?—No, I think not.

Did you ever see him at, or know him go to chapel?—Never.

Was he generally considered the gaoler's spy?—Yes.

Was he a man of decent habits?—He was not.

Was he addicted to swearing?—He was, and swears in a very rough way, full in the mouth.

Was he a blasphemous swearer?—He was.

Have you ever heard him, when making the debtors schedules, make light of an oath?—Yes.

What do you mean by his making light of an oath?—I have heard him say, "Damn about an oath for the sake of convenience; swear to any thing to get out of a gaol."

Have you ever heard him use these expressions at a time when debtors had had scruples respecting filling up their schedules?—Yes; it has been upon those occasions that I have heard him use them.

Was Mr. Bridle in the habit of coming round to see that you had proper comforts in your wards?—I never knew him come round for that purpose.

How often have you known him inspect your bed-rooms, to see that the beds were well aired and clean?—I never knew him in the bed-room but once, and that was not for that purpose.

What purpose was it for?—To take a paper to George Cable, for him to sign it, as he was too ill to go down to Mr. Bridle's room.

Has there occasionally been people in your ward?—Yes.

Have you ever known him to visit the sick?—No, I never did.

Have you ever known him abuse and swear at any of the debtors?—Yes; there was a clean cap and frill pinned against some old rules; Mr. Bridle found fault with their being hung there. Collard told him they were not rules, as they were not acted up to; and said that

H. Child.
(5 June.)

that the magistrates had ordered the officers to see that such rules as were acted up to should be placed in their stead, some time before. Mr. Bridle said the magistrates did not order it. Collard said they did, in the presence of the officer then present. Mr. Bridle told him he was a damned liar, but he would see the rules should be altered for him; and he directly upon that had his county allowance taken away. I don't believe he had another loaf after that. This happened I think on the day the bread was served out, and the next bread-day he was told by Mr. Pike, that there was no more bread for him.

What reason was assigned for taking away his bread?—Either for stepping on the garden plat, or picking up something that was thrown there.

Was it considered in the ward that the bread was taken away on account of what was said about the rules?—Yes; we knew as soon as the threat was made that it would be executed.

Did you ever hear him make use of a threat to any one?—Yes; to John George. He was confined for smuggling; Mr. Bridle recommended him an agent in London, named Kent, to get for him what is allowed to smugglers by statute, I believe three shillings and sixpence a week. The agent got the allowance from government, and he charged a one pound note for it immediately, and he was to have more afterwards. George had not the one pound note to send, and Mr. Bridle told him, if he did not send it he should write to the heads of his parish to prevent their assisting him, or recommending him to the mercy of the board.

How long were you in the lower ward?—About eight months.

How often did you know your bedrooms washed?—I cannot remember their being washed but once.

When was that?—Since Christmas; but I believe they were washed out again a few days before I went out.

Did you understand that you were prohibited from receiving beer and cyder as a present?—Yes; unless ordered by the doctor.

Did you consider that as a great hardship and privation?—We did.

Have you ever known the doctor applied to for his permission, and that he took no notice of it?—Yes; after beer and cyder has been left for us at the lodge, the doctor has been asked for it, and it did not come to our hands.

[Adjourned at 1 P. M. until 2 P. M.

The Commissioners re-assembled at that time.

Henry Child called in; and Re-sworn.

Do you know any thing of Treble's illness?—Yes.

And visited him during it?—Yes.

Where was he placed, in a situation fit for a sick man?—No; he was not in a good situation.

Had he, during his illness, those necessaries fit for a sick man?—No.

What sort of situation was he placed in when he kept his bed?—It was a dark room; so dark that it was only lighted with a passage window.

Was it in other respects proper?—There was no fireplace in it that I remember.

Do you know, of your own knowledge, that he had not proper necessaries?—I know that he craved for beer, and had none; and I know he wanted meat several times; he craved particularly for mutton to make some broth.

What time in the day did he die?—I think two or three in the morning, long before we were up, hours.

What means had you of knowing when he did die?—The person that looked after him hallooed to the constable of the ward.

You heard that?—I heard that that was the first.

What else did you hear?—He desired the constable to call George Bridle the officer of the ward.

Was that the only means you had, in case of accident or illness, to make the officer hear?—Yes; the only way was to go to the bottom of the stairs to the second floor, and to throw a shoe or something hard against another door that led to a passage near the officer's bedroom.

Do you know whether he came?—I know that he did not come into the ward until the usual time of unlocking the doors.

Did you attend the coroner's inquest upon Treble?—Yes; I was one of the jury.

Were witnesses examined upon oath?—Not that I saw.

Did you see or hear any witness sworn or examined?—No; that was said to have been done before we went in.

What was done when you did go in?—I don't know that any thing was done before we were sworn and asked to sign; and whether we had any objections to make, and there was some objection.

Was the evidence read over to you?—Something was; but I don't think we any of us understood what it was, for it was all in confusion, there was but little done before we were asked to sign the inquest.

After the oath was administered did not you go and view the body?—Yes.

You said there was some objection, what was that?—Nathaniel Hodges, one of the jury, objected to give oath that he died by the visitation of God.

What objection did he make?—He stated that he had not proper treatment, and that it was his opinion, that if he had had more and proper nourishment, he might have lived longer

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longer; he stated this to the coroner; the coroner then inquired if he thought he did not die by the visitation of God; and he stated that the purport of the oath was, that he did not die by personal violence, or was starved to death. Nathaniel then said, he did not think he was starved to death, but he thought he might have lived longer if he had had better things. I then, myself, explained to the coroner the situation he had been in, and that I thought it a very improper one, and that it would be proper that some one should make it known; the improper place there was for a sick man to be in, and that a better one should be provided. The coroner signified that that had nothing to do with the present business, and told me the magistrates would be here on the morrow, and then I could speak to them. The doctor, Mr. Bryer, likewise advised that I should speak to them on that subject, which I promised him to do. George Bridle was in the room, and he said the magistrates would be here on the morrow likewise, and promised me that he would acquaint me when they came. I waited in the morning till eleven o'clock, the time he said he thought they would come, and enquired whether they were come. He told me they were, but that they were busy, and that he would let me know when they were at leisure, so as to see me. His neglecting to tell me whether they were at leisure, caused me to make frequent inquiries. I thought he did not seem inclined for me to see them, therefore I wrote a note to them, and told him, as he was the only officer, that he was to deliver it to the magistrates. He seemed rather displeased at my insisting upon his delivering the note; but he told me he would deliver it, and took it from me, and returned in a few minutes and told me, that I should see them by and by; but the magistrates left the prison without my seeing them. I had no means of knowing whether it was the magistrates fault, or that they had not my letter. I wished particularly to see them, to make complaints of the badness of the water, and the necessity that other beverage should be allowed to be purchased, as well as to point out the improper place that the man died in. The man drank a good deal of water, because he could get nothing else to drink. I also should have mentioned, that E. Treble ought to have been better attended.

[Occurrence Book, Saturday, 24th February, 1821.—The adjourned sessions holden by the high sheriff and justices.—(No notice appears in it of any complaint relating to these circumstances).

No entry appears in magistrates journal.]

You were afterwards examined in the presence of the magistrates, and they stated to you, that they had not received the note?—Yes.

Ultimately you signed the inquest?—Yes; I did not consider that he died from actual violence, or was starved; but I thought he might have lived longer, if he had been better attended.

Since you have been in the gaol, did you see or hear any thing of the poor-box being opened?—No.

While you were there, did you know of any thing being given away, and represented as coming from the poor-box?—No, nothing of the sort.

Do you remember any thing being given away by Mr. Bridle?—A quart of beer was given to each of us at Christmas.

Whose gift was that represented to you to be?—Mr. Bridle's.

Did you consider that to have been the gift of Mr. Bridle?—Mr. Bridle came into the ward in the early part of the day, and said, he made a present of a quart of beer to each of the debtors in the other ward; and he said, I suppose I must make you a present of a quart of beer a-piece as well; we thanked him, and afterwards sent him a note of thanks; he represented it as his Christmas gift.

"Charity Book."

"Subscriptions deposited in a box affixed in the turnkey's lodge in Ilchester gaol, for prison charities.—Commenced October 25th, 1809."

[The witness having inspected the inscription upon the box at the lodge, said, I find it to be as follows—"Charity box for the relief and discharge of poor debtors."

Do you know of any key of the poor-box being in the possession of the debtors?—No; I never heard of any.

Cross-examined by Mr. White.—How long was there so many as thirty-seven in your ward?—Some considerable time; I am not quite sure as to the number, but it was thereabouts.

In the poor debtors ward?—Yes.

The place you speak of was the only place in the gaol for the accommodation of poor debtors?—That was the only place that those were put who received the county allowance, except one, called the Refractory.

Was there any other place?—I don't know.

Were there many debtors in the other ward at that time?—I can't say; I don't know how many.

May not a debtor's wife be taken to the conversation room at any time of the day?—Yes; but as other debtors wives might be taken there, we did not consider it private, but public.

Is it crammed at other times in the day than at the visiting hours?—The only time that I was there, it was.

You were there but once, except at visiting hours?—I was never there but once or twice, except visiting hours.

Did you ever know one hundred and forty visitors to the debtors at one time?—I can't say; I never counted them.

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Have you seen seventy?—I can't say; I have seen the conversation room and passage adjoining quite full, and several waiting at the bottom of the stairs.

Do you know by whose authority the key was left in the stair-door?—No.

Nor whether it was by accident?—No; but this I know, that the officer did not make himself so busy to see whether a debtor's wife was up stairs as the officer who was there before.

What did you mean, when you stated that the governor, or those in power, would throw impediments in the way of discharge, in case Shepherd was not employed by the debtors; did you mean by those in power, the magistrates of the county?—Yes, we meant the magistrates, the gaoler and his officers.

Your greatest objection to Shepherd is, that he swears in a rough way?—That is not the greatest, it is a great one; I should not care for his swearing, and I suppose nobody else would; but when he receives money from poor debtors, and does nothing for them, I consider that worse.

Who was the officer present when the contradiction took place between Mr. Bridle and Collard, about the cap?—George Bridle.

How long was it after that that the suspension of his bread took place about the treading on the garden?—It was soon after; I believe he had not another loaf.

Don't you think that as Mr. Bridle had recommended Kent to George, it was his duty to endeavour to see him paid?—It might; but I don't think it was his duty to threaten the man on account of its not being paid.

How long after you went into the poor debtors ward was it that the bedroom was washed?—About six months, to the best of my knowledge.

And what month was it in?—About the month of March.

Are you quite sure it was about two or three in the morning that Treble died?—I can't say to an hour; but it was a long time before the ward was opened.

Was it more hours than one before?—Yes; I can't say how many; but I heard the man give the alarm.

Do you recollect the purport of the oath that you took before the coroner?—We understood that it was, we were to enquire whether the man did or did not die from personal violence or from want of food.

Having then taken that oath, your verdict was, that he died by the visitation of God?—Yes; with an observation, not added in writing, that he was not starved, but if he had had more nourishment, he might have lived longer.

Did any one of the jury act as foreman?—I believe there was; I should suppose there was one appointed to act as foreman of the jury.

Do you know his name?—I was considering, but I really do not remember.

Was it yourself?—No.

Was the verdict of the jury delivered by the mouth of the foreman?—Really I cannot tell you; I know when I was on the jury that the dead man could not be brought to life again; but I determined to make it better for others by reporting to the magistrates what had occurred, that they might make it better for sick people in future.

Did all the jury sign the inquest?—I believe they did.

And sealed it?—It is most likely they did; I should suppose so.

Then Nathaniel Hodges signed and sealed the inquest, though he said the deceased did not die by the visitation of God?—Yes, I should suppose he did; I think he did, under the consideration I before stated.

Can you state what induced him to sign that false statement?—Upon my word I cannot; I can only impute it to his ignorance, and that was my motive; had I known what I do now, I would not have signed without a special verdict.

Did you apply to the coroner for information, as you did not understand the nature of it?—No, I did not.

Why did you not apply to the coroner for that information?—For want of knowing better; I thought I might see the magistrates and explain it to them, which I was prevented from doing.

But you were not so ignorant as not to know that you were signing the inquest under the sanction of the oath you had taken?—Certainly.

But don't you know that you were worse than ignorant, in doing this in violation of your oath?—I did not think it was in violation of my oath at last.

Then was it a violation of your oath or not?—I could not say that he was starved to death, or that he died by personal violence; but all I intended to be inserted was not inserted.

Do you consider that the verdict that you gave was a violation of your oath or not?—Really I can scarcely give an answer to that, because I considered then that if the man on his death bed had been able to eat a crust of bread, or to pick a bone of meat, he might have lived a little longer; but as he had not the stomach to eat that, he had nothing else provided for him.

Do you now consider that you violated your oath by signing that inquisition?—Yes; but it was for want of knowing better. I don't consider that it was an act of perjury.

A debtor usually has a certificate from his parish before he has the county allowance?—It is the practice; but I did not.

Why did you not obtain it?—I applied for it, but did not obtain it.

How did you obtain the allowance then without it?—By informing Mr. Bridle that unless I had it I should be starved.

Then

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Then he dispensed with the usual formalities on receiving that information?—He did, but not immediately; not so soon as he ought. I say nothing against the gaoler with any feelings of displeasure on that account, or respecting any past punishments.

Why do you say he neglected his duty by not getting you this allowance?—I applied to him and stated that I wanted assistance, and he told me he would inform the magistrates, and speak to me about it. I waited a long time without having any assistance; at last I got it.

By whose means did you get it?—I don't know whether by Mr. Bridle's or the magistrates; I applied to the magistrates about it, but it was a long time afterwards; I was at last admitted to see the magistrates about it.

You don't know why you did not obtain the certificate?—I had not been in Bath long enough for the parish officers to know my circumstances; the minister and churchwardens refused to sign it on that account; I have understood so since.

How many witnesses were examined on the inquest upon Treble?—I don't know that any were; I never saw any.

You mentioned two on a former examination; who were they?—I did not hear them examined; but I understood that they were George Goodman and Raines; Goodman was his nurse.

Was Mr. Robertson, surgeon in this town, examined?—No, he was not.

How late before his death was it that he attended?—He was the last medical attendant; I think the day before.

Are not the rules, that you called rescinded ones, the only rules in the gaol?—They are the only ones hung up in the poor debtors ward; what there are in other parts of the prison I don't know.

Do you remember who the note you gave to George Bridle was addressed to?—"The Magistrates assembled at Mr. Bridle's, the Gaol, Ilchester." I think that was the address.

Do you remember an instance of a debtor in the lower ward applying to Mr. Bridle for leave to purchase beer?—I have heard a thing of the sort talked of.

Do you recollect Mr. Bridle's answer at that time?—No.

Do you recollect whether he made any or not?—No.

But you do recollect the application to him for it?—I think I remember something of it.

Can you say he made no answer?—No.

Can you say he made some answer?—No.

Can you tell what he did on that occasion?—No, I cannot.

Re-examined by Mr. Hunt.—How long was it after you told Mr. Bridle, that you should be starved, unless you got the county allowance; was it before you obtained it?—I think it was two months.

At least you were allowed to see the magistrates, and you got it?—I was.

During the whole of that two months did he send you the value of a penny loaf, to keep you from starving; out of his own pocket I mean?—No; I never received any thing from him.

You did not know that he had a large balance of money taken from the poor debtors box in 1817, then remaining in his hands?—No, I did not know it.

Examined by the Commissioners.—Was it before it was light that Treble died?—Yes.

Was there such noise made by the person who gave the alarm, as to wake any other person in your room besides yourself?—Yes.

Did Charles Hill sleep in your room?—Yes.

Was the noise such as might have awakened persons in the other room?—Yes it was.

At the time that you signed the verdict, did you believe that you were then signing that which you believed to be true?—We believed that he died by the visitation of God.

But did you think, that had he been treated in a different manner, his life might have been protracted some time longer?—Yes, and said it.

When you say you said so, do you mean that you said it, or wrote it down?—We said so to the coroner.

How long was it after you saw the magistrates before you had the county allowance?—The same day, to the best of my recollection.

Did the coroner explain to you the nature of the duty you had met upon?—I believe he did.

Did you consider of your verdict before you delivered it?—We took but a very short time; we knew the poor man was dead, and we could not tell that he might have lived any longer.

Do you know, when Treble craved meat and beer, whether the doctor had ordered him any?—I understood he had, but I don't know whether he had or not.

Did you understand from Treble himself, that he had meat and beer ordered him?—Yes, I did.

Do you recollect how long Treble was in this state, craving for meat and beer?—Several days, particularly for beer.

Did the magistrates, at first, refuse you the allowance because you had not the usual certificate?—I saw the magistrates but once, and the allowance was granted the same day.

John Chamberlain called in; and Sworn.

J. Chamberlain.
(5 June.)

You live at Yeovil?—Yes.

Are you a leather scraper?—Yes.

Were you ever a prisoner in this gaol?—Yes.

When, and for how long?—I was in prison two years after trial; I went out in January 1810.

Were you in the time ward?—Yes, and had been constable of the ward.

Do you remember a prisoner by the name of Ford?—Yes.

Was he put in irons or handcuffed?—He was in irons and was handcuffed one evening.

Had he been tried, or was he for trial?—He was for trial.

What was he handcuffed for?—He was very restless for a night or two before that, and kept coming out of his bed, so he was handcuffed by each hand to the iron bedstead.

Was any thing else done to him?—He was tied to the foot of the bedstead with a small piece of twine that he held his irons up with.

Did he get that twine loose at night?—Yes, rather loose.

Did you go to him in the morning?—I carried him his clothes in the morning, and unbolted the inner wooden door, and shoved his clothes through the iron gate.

Was he unhandcuffed?—No, he was handcuffed then; the turnkey unlocked the gate, and he, or another man who unlock the gates in the morning, took off the handcuffs.

Being so fastened down, did that keep him in the bed; how did you find him?—He was laying on his left side, with one of his arms extended; I helped the man to get on his clothes.

What did he do when his clothes were on?—He sat on his bed side.

Was he in his right senses?—No, he was not.

How did he appear to you, to be?—He appeared not to have his right senses.

Foolish?—Yes, he was foolish.

Did he appear violent or vicious, or had he attempted any thing to do you mischief?—No, he had not.

Did any turnkey come up to you?—Treganza came up to let the prisoner down, and he went into the cell; the prisoner was sitting on the bedside; Treganza asked him to come along; the prisoner did not answer him so quickly as Treganza wished, and did not offer to move; by that the turnkey up with his fist and struck him in the throat, so that his head went back against the wall.

Was it a very violent blow?—No, I don't believe it was a very violent blow; it was hard enough to knock his head against the wall; he was sitting with his back against the bedstead, and the force of the blow knocked his head against the wall; the turnkey then took him by the collar and pulled him out of the cell.

What then?—He stood so long outside in the passage, putting on his shoes, that the turnkey pushed him back into the cell and locked the door, and said he should not come down all day.

What was the reason the man did not put on his shoes?—He had not his common senses; he would not do any thing that any one asked him to do.

Do you know, when he pushed him back into the cell, whether he fell or not?—No.

Well, what then?—I went to my work, sweeping out my cells; I had swept one or two, and the passages, till I came facing his cell, when I looked in through the squint in the wall, and asked him what I should bring him for his breakfast; I got no answer; I asked a second time, and got no answer; I called to the constable of the other part; his name was Samuel Pike; he came to the cell, and I said, Pike, I believe that Ford is dead, as he does not answer me.

How long might that have been after Treganza had struck him?—I don't suppose it was ten minutes; we were some time trying before we could open the door; we found him sitting with his back against the door, and one of his feet was against the leg of the iron bedstead, and his head was hanging over his shoulder, and he had made water on the floor; he was then dead; the other man went for Treganza, who came and looked at him, and sent for a man to knock off his irons; they then, after his irons were off, put him on the bed and took off his clothes.

What sort of a man was Treganza?—A very stout, powerful man.

You said it was not a very violent blow?—No, but the force of it knocked his head against the wall.

Was any coroner's inquest held upon him?—Yes, the same day.

Were you examined before the jury and the coroner?—Yes.

Did you state any thing about this blow?—No, because I had some time to stop in prison.

How long had you to stay in prison?—About a twelvemonth, I believe.

Do you know when he was buried?—He was buried between four and five the same afternoon.

Was not that thought extraordinary, to bury a man the same day he died?—Yes.

Was the jury present when you were examined, or was only the coroner present?—I know the jury were present as well as the coroner when I was examined. The coroner was Mr. Caines; he examined me.

What was really the reason that you said nothing about the blow?—Because I had some time to stay in prison, and did not know how I might be used.

Did

J. Chamberlain.
(5 June.)

Did you stay and hear the verdict?—No; the turnkey was ordered to put us back into our proper wards.

Who ordered the turnkey to put you back into your wards before the verdict was given?—Mr. Bridle.

Where was the inquest held?—In a room down stairs, on the right hand coming in.

Was Mr. Bridle in the room when you gave your evidence?—Yes.

Did he give any evidence?—I do not know; the turnkey, Treganza was, I know.

Do you recollect what he said?—No.

How often did Mr. Bridle come round and visit your wards?—Mr. Bridle came round very regular, and visited my cell.

What do you mean by very regular?—Most days when he was at home.

You wore the gaol dress at that time?—Yes.

How often had you clean linen?—Every Sunday, as far as it would go; sometimes it would not reach round.

Had you clean stockings every Sunday?—Sometimes I wore a pair of stockings a fortnight.

To whom have you mentioned this circumstance of Ford's death, and Treganza striking him?—Mr. Edwards was the first I spoke it all out to.

Are you married?—Yes.

Did you ever tell your wife the circumstances?—No, I never said anything to her about it. Mr. Edwards took it down in writing, and sent it to Mr. Goodford, a magistrate.

Who is Mr. Edwards?—A glover in Yeovil.

How long ago is it since you told Mr. Edwards of it?—I do not know; it was a few days before I was had down here to be examined.

Did you tell Mr. Edwards the same story as you have now?—Yes.

Did you relate the same circumstances to the magistrates here when you was had down to be examined?—They did not ask me the same questions; they asked me how long the man had been in prison, and how many times I had carried his clothes.

What else?—They asked me, did I think the man was imprisoned six months.

You say they did not ask you the same questions; but you have now told a good deal without being asked?—What was down upon the letter to Mr. Goodford I will be answerable to; I have told nothing but the truth.

Cross-examined by Mr. White.—Was Mr. Bridle, while you were confined, kind or cruel to you?—He was never cruel to me; and I never saw him cruel to any body without a fault.

Was he kind to you?—No.

Was he kind to other prisoners?—Not as I saw.

Was he unkind to you?—No, he was not unkind to me. I have no more to say against Mr. Bridle; no more than this; I never saw Mr. Bridle punish a man without his being gambling, or fighting, or stealing.

Did you ever hear Mr. Bridle swear to the prisoners?—No.

Did he often visit them in their wards?—He did most days when he was at home.

Did he inquire into their disputes, and do every thing in his power to keep them friendly with each other?—When there was any rows in the ward, it was my business to call the turnkey, who would fetch Mr. Bridle, and Mr. Bridle would come in, and find who was in fault, and punish them that were in fault.

Did you ever know Mr. Bridle strike a prisoner during the whole two years you were here?—No, I never did.

Did you, during the whole time you were here, ever see him the worse for liquor?—No.

As constable you were in the habit of going to the chapel every Sunday?—Yes, except when one of the prisoners was very ill, I had to stay with him in the kitchen.

Was that more than one Sunday?—Several Sundays I was obliged to stop in the kitchen.

How many Sundays, in the two years, were you absent on Sundays?—Several Sundays; there was very often somebody sick, and I was obliged to stop in the kitchen.

Where were you placed in chapel?—Just before the communion table.

Was that a situation where you could see Mr. Bridle at chapel?—I could not see him come in, but I could see whether he was there or not.

Was Mr. Bridle generally in the habit of attending his duty in chapel while you were there?—Yes; he used to look over to see that the people were not doing any thing that was wrong.

Then Mr. Bridle generally attended his duty at chapel?—Yes when he was at home.

Was any notice taken by any of the prisoners if he happened to be absent?—Not as I know of.

Was any observation made when he was not there?—I have heard the prisoners remark upon it after coming out of chapel; one would say, Mr. Bridle was not at chapel this morning or afternoon; and another would say, perhaps he's out of town.

Did he generally stand or sit when he was in chapel?—He mostly stood, so that he could see the greater part of the prisoners.

J. Chamberlain.
(5 June.)

Did Mr. Bridle often inspect your cells and wards?—He did the cells, to see they were clean and swept out, and that the kitchen was cleaned out.

If he saw any thing unclean, or out of order, did he point it out to you?—Yes.

Was it because you had a long sentence, and was not able to work, that you were made constable?—Mr. Bridle offered me to go out to work; when Mr. Bridle told me I was to have two years imprisonment, it struck me so, that I might have been knocked down with a straw. I told Mr. Bridle I would let him know. I would remain in my kitchen a few days; so I remained in the kitchen a few weeks; and then Mr. Bridle appointed me constable over the convicts.

Re-examined by Mr. Hunt.—Have you ever been examined upon these points respecting Mr. Bridle, by any one?—No, I only informed Mr. Edwards about Ford.

Examined by the Commissioners.—Was that account that Mr. Edwards took down, the same as you have now told here?—Yes, to the best of my knowledge.

The greater part of what you have told now, was without any questions being asked; why did you not relate the same to the magistrates, that you have told us?—I don't know, there was so many speaking at once.

Did you, or did you not, tell the magistrates any thing about the blow that was struck?—Yes, I did.

Was that which you told them about the blow, the same that you have now told us?—It was the same upon the letter.

Did you, when before the magistrates, tell the same story about the blow, and the death of the man, as you have now told us?—I told them I saw Treganza strike the man. I can't say that I told them every thing out as I have told here. They confounded me by asking me how long the man had been imprisoned; and so many questions that I did not understand.

Did you, or did you not, tell the magistrates the particulars about the blow that you saw Treganza give the man?—I said, in the room, that I saw the turnkey strike the man; but they did not examine me as I have been examined now.

In consequence of their not asking you any questions, did you keep back any thing that you have been now stating?—It was all stated upon the letter. I can't say I stated every thing by word of mouth.

But did you tell the magistrates that you had seen Treganza strike Ford?—Yes, I did.

[Adjourned at a quarter past 7 P. M. until nine to-morrow morning.

WEDNESDAY, 6th JUNE 1821. The Commissioners re-assembled at the Gaol at 9 A. M.

William Lewis called in; and Sworn.

W. Lewis. (6 June.)

WHERE do you live?—In Thomas-street, Bristol.

Were you ever a debtor in this prison?—Yes.

For what length of time were you confined?—Five weeks, and discharged this morning.

Examined by Mr. Hunt.—How were you discharged; by what process?—I paid the money; I employed a man yesterday, I believe his name is Robert Curry; I employed him to go to Wells to pay the money, and to get my liberation at the under sheriff's office; he would not go under six shillings; I borrowed the money of Shepherd, and am to repay it on Tuesday next.

What distance is it to Wells?—It is called eighteen miles.

Cross-examined by Mr. White.—Four pence a mile is the usual charge?—I don't know; some used to go for five shillings, and some for four.

Examined by the Commissioners.—Were you ever in gaol before as a debtor?—Yes, four years ago; I was nineteen weeks and three days.

Did you at that time ever know of the poor-box being opened?—No.

Jeremiah Hodges again called in; and Sworn.

J. Hodges.

Were you ever imprisoned here as a debtor?—Yes.

How long?—About nineteen weeks; I was discharged about three years ago last February.

Examined by Mr. Hunt.—Were you summoned as a juryman upon a coroner's inquest while in gaol at that time?—Yes, more than once.

Once upon the body of a man named Ford?—I don't know, I forgot the name; I remember being upon one over there upon a man that died on the felons side.

Where was it held?—In Mr. Bridle's room, under here.

Were there any witnesses sworn and examined in your presence?—I don't know whether any witnesses were sworn and examined in our presence or not.

Do you remember any of the jury?—Yes; there were William Hill (a debtor), and John Perry and Thomas Lucas; they were carpenters working with me in the shop.

Do you remember any out of the town?—I think a man named Baker, who was foreman of the jury.

Who were examined?—Mr. Treganza, the turnkey, and I think a man of the name of Sweet, who used to look after the man that died.

Any body else?—Mr. Bridle was asked a few questions; Mr. Hobbs, the taskmaster, was present, but I don't know whether he was examined.

Was the doctor present?—Yes.

Was he examined?—Yes.

Did you go together and examine the body?—Yes.

Where was it?—In one of the cells in the top tier over the felons ward.

What state did you find the corpse in?—We found it bruised very bad.

In what way?—His legs were purple and blue and yellow, and both arms, from the hands nearly to the elbows, were swelled, and turned colour.

Any other bruises?—He had black marks about the forehead.

Any where else?—Yes, there were some marks on his throat, I believe on both sides they were a little yellow, as if the flesh had been wrung.

Was the body stripped?—It was covered with a blanket.

Was it naked?—I believe it was.

Who pulled the blanket off?—The coroner.

What did the coroner say or do when he pulled the blanket?—He said, "God bless me, what are these marks about the man?"

Did any body answer that?—Mr. Treganza and Mr. Hobbs said they were obliged to iron him, that he was so troublesome they could not hold him without ironing him; and they were asked how the marks came about his legs and arms, and they said it was from the irons, and that the marks about the head were from beating himself about in the cell.

Did the doctor examine him?—He looked at him.

Did he examine the bruises and turn him over, to show whether any thing was there?—No, he was not turned, he was only looked at as he lay on his back.

You are sure he was not turned over and examined minutely?—No, he was not.

Was it in a light or dark room?—It was a dark room, but there was a window opposite the door, out in the passage.

So that whatever light did come in, came across the passage, and in at the door?—Yes.

Was the man laying so as that all the jury could see him?—Only part of the jury could see him at a time; the others stood out of the door until the others came out.

Have you ever attended upon coroners inquests out of the gaol?—Yes, more than four or five times.

Did you examine this man in the same manner as you have seen bodies examined out of the gaol?—No.

What difference was there?—The coroner in our part of the country would have the body turned over to see every mark.

Who is the coroner in your part of the country?—Mr. Layng, of Wells.

J. Hodges. (6 June.)

Do you reside near the sea, where bodies are frequently washed on shore?—Yes, I have seen many washed up.

What did Mr. Layng do if there were any bruises or any thing suspicious?—He used to examine very strictly, and make the jury look well into it.

After seeing the corpse, did you return to the room below?—Yes.

Were the witnesses examined before or after you saw the corpse?—Afterwards.

Do you remember Chamberlain, a time man, being examined?—I believe he was had in, and asked some questions about it.

Do you remember whether Treganza or Hobbs were sworn or not?—I don't remember seeing them sworn.

Do you recollect what Mr. Bridle said when he was asked the few questions?—He said there had been men in this gaol who had been troublesome, and had acted foolish, to get lighter sentences.

Did he make use of any expression upon it?—He said they had found them out to act falsely, and ironed them for it, and made a rule afterwards to iron the men that acted in that way.

Did he mention any instances of it?—Yes, I believe he pointed out, in a large book, of a man that had so acted to get out of his situation.

Was this done in the presence of the coroner and jury upon this occasion?—Yes, Mr. Bridle read it out of the book to the jury.

Did Mr. Bridle treat the subject seriously or lightly?—He did not appear very serious about it.

Did he treat it very lightly?—He gave a laugh after reading what he did in the book.

What was the effect of what he read?—To show that other men had been treated in a similar way; this man was supposed to be foolish when he was brought in.

How did you understand that he was foolish?—Mr. Treganza said, that when he was brought in, the man said he would go again by the coach.

Do you know whether Mr. Treganza was sworn before the jury?—I don't know whether he was or was not.

What was the verdict you returned?—That he died by the visitation of God.

Do you know when the man was buried?—The same evening.

Examined by the Commissioners.—Do you know whether Treganza and Hobbs said any thing about the marks upon the man's throat?—No.

Edward Coles, esquire, again called; and Sworn.

E. Coles, Esq.

Have you the bill of Ryall, passed at the Midsummer sessions, 1819, (N° 25)?—Yes. [*Produces it.*]

[General Cash Book, produced by Mr. *Bridle*.

(Entries.) " 1819. The County, D^r.

		£.	s.	d.
" March 27th.	To Ryall for candles, N° 24	8.	11.	4.
	To D° for extra nourishment for sick prisoners, N° 25	18.	10.	9.
	To money for beer and spirits for ditto, N° 27	17.	6.	9.
	To Culliford for meat for ditto, N° 28	16.	15.	8."]

[The bill, N° 25, being shown to Mr. Coles, he identified the initials " M. H." as those of Matthew Hobbs, the late taskmaster.]

Have you Culliford's bill of the same sessions?—Yes.—[*Produces it.*]

	£.	s.	d.
" Mr. Bridle D^r to J. Culliford, for meat, from January 4th to April 10th (no year stated), N° 28	16.	15.	8."

[Receipt signed James Culliford, without a date. (No mark of examination by Hobbs appears upon the bill). An error of 2*s.* 9*d.* is remarked in the casting, and added in Mr. Bridle's hand-writing, the original amount of the bill having been 16*l.* 12*s.* 11*d.*]

General Cash Book. " 1819. The County, per Building Account.

To prisoners shares of earnings, October 11, 1818, to January 3, 1819:

1819:	£.	s.	d.	£.	s.	d.
Males, house of correction	53	15	3			
Females - - D°	9	17	10			
Debtors	7	2	8			
				70	15	9
To the governor and taskmaster, an eighth each, for superintending said labour, amount of earnings being	277	12	5			
Quarter				69	8	1

(Next Quarter Account.)

" 1819, March 31st. Prisoners share of earnings; viz.

Males, house of correction	39	13	7½			
Females - - D°	8	10	9			
Debtors	5	15	–			
				53	19	4

To

	£.	s.	d.
To governor and taskmaster an eighth each, for superintending said labourers, amount of earnings being - - - - -	219	9	1
An eighth each, equal to 27 *l.* 8 *s.* 7½ *d.* - - £. 54 17 3			
To a further share to Taskmaster, to make his share average 130 *l.* per annum - - - - - 5 1 5			
	59	18	8"

Magistrates Journal. Rules entered in the commencement of the book; viz

" Governor's salary.—The governor shall be paid a salary of 460 *l.* per annum, and " shall be allowed in his disbursement the amount of property tax as long as such " tax shall continue, and all other rates and taxes charged on the house; the " governor to find and provide mops, brooms and brushes for keeping the gaol " clean, and coals and candles for his own use. Such salary, &c. to be paid out of " the county stock."—" The governor shall be paid an additional salary of 40 *l.* " per annum to provide a clerk to keep the accounts, &c. in the said gaol, and also " to assist the prisoners confined therein in writing letters, or doing any other busi- " ness which may be necessary to procure discharge of such prisoners only; and " also to provide a proper turnkey for the In ward or Female ward.—19th July 1808"

(Cash Book.) " 1819, March 27.

	£.	s.	d.
To my quarter's salary for keeping the gaol, &c. - -	125	-	-

(Ditto) " 1821, March 31.

	£.	s.	d.
To my quarter's salary for keeping the gaol - £. 100 - -			
To a quarter's allowance for coals, candles, mops, brooms, clerk and female turnkey - - - 25 - -			
	125	-	-

Examined by Mr. Hunt.—Can you produce an order of sessions for the allowance of a per centage, made, I think, Michaelmas sessions 1813?—No, but I recollect an order giving the governor and taskmaster an eighth each on the clear profits arising from the labour of the prisoners; which order was rescinded, as far as regarded the taskmaster, at the Michaelmas session 1820.

(Cash Book.) " 1821, March 31.

	£.	s.	d.	£.	s.	d.
To the prisoners shares of earnings; viz.						
Males' house of correction - - - - -	68	4	3			
Females - - D° - - - - -	10	13	-			
Debtors - - - - - - - -	-	17	-			
				79	14	-
To the gaoler's share for superintending said labourers, amount of earnings being - - - - - 328 1 9						
And the allowed share one-eighth - - -				41	-	2

Can you point out how the clear profit of the labour, in the last quarter, was ascertained?—I knew nothing about the clear profits; there are labour-books kept in the gaol.

Do you examine the accounts?—No, the magistrates examine them.

Do you attend the examination?—I attend the magistrates to receive their orders and directions what I am to do.

And you never learnt how these clear profits were ascertained?—No.

If there be 328 *l.* 1 *s.* 9 *d.* the profits of the labour, where are those profits given credit for to the county?—I don't apprehend there has been any credit given to the county money; but the advantage to the county has been effected in various alterations and improvements made in the gaol by the labour of the prisoners.

Can you tell who has been employed in estimating those alterations and improvements, so as to ascertain a clear profit of 328 *l.* 1 *s.* 9 *d.* to the county?—I cannot say further than accounts of the labour of the prisoners having been submitted to the magistrates quarterly, and of their having passed and allowed such accounts, the particulars of which accounts I cannot recollect.

Do you not know that there has been a considerable quantity of blanketing, rugs, bedticks, carpets and shoes, manufactured in the gaol, and sold out of it?—I believe there has been.

Can you point out any account where the county has had any credit for the produce of them?—No, I suppose the books kept here by the governor or taskmaster will show every thing of that sort.

Are the accounts of Mr. Bridle sworn to by him?—All the accounts are verified by him on oath, previous to their being allowed by the magistrates.

[Adjourned at 1 P.M. until 2 P.M.

E. Coles, Esq.

(6 June.)

The Commissioners re-assembled at that time.

Mr. *Coles* again called in; and Sworn.

[Mr. Coles [*reads*] "General Cash Book, beginning July 1808."——The County per Building Account: 1819, March 31st.

	£.	s.	d.	£.	s.	d.
To prisoners share of earnings; viz.						
Males, house of correction - - -	39	13	7½			
Females - - D° - - - - -	8	10	9			
Debtors - - - - - - -	5	15	—			
				53	19	4
To governor and taskmaster, an eighth each, for superintending said labour, the amount of earnings being - -				219	9	1
An eighth equal to 27 *l.* 8 *s.* 7½ *d.* - - £.	54	17	3			
To a further share to taskmaster, to make his share average 130 *l.* per annum - - - -	5	1	5			
				59	18	8

Examination by Mr. Hunt, resumed.—Does that book contain the whole of the building account for labour and per centage?—I presume it does; of the whole of the sums paid by the county for labour and per centage, the county share is wholly ideal.

[House of Correction Work Bills. In seven columns, headed Names; Employment; At per Day; Earnings; Weekly Share; Funded Share; County Share.

1819. Earnings from January 9th to March 27th.

	£.	s.	d.
Males, house of correction -	179	11	11
Females - - D° - - -	34	3	—
Prisoners share of earnings:			
Debtors earnings - - - -	5	15	—
£.	219	9	11

Prisoners' Shares:	£.	s.	d.
Males, house of correction -	39	13	7½
Females, - D° - - -	8	10	9
Prisoners shares, house of correction - - -	48	4	4½
Debtors earnings - - -	5	15	—
£.	53	19	4½]

Is the share of the prisoners earnings stated to belong to the county, carried to account in any other book?—No it is an assumed advantage belonging to the county.

Is there any account existing showing the amount of articles which have been manufactured in the gaol, and which have been sold?—No, not in my possession; I know of no debtor or creditor account which has been rendered either by the governor or taskmaster in that respect, except what may appear in the report I now give in.

Do you find in that report any cash stated to have been received, except 2 *l.* 5 *s.* for an old furnace?—I see no mention made of any cash received, except 2 *l.* 5 *s.* 10 *d.* for an old furnace.

[Mr. Bridle put in a book stated to be "An Account of the Manufactured Goods Sold," which he admits contains the account of articles manufactured in the gaol and sold on account of the county, and the sums due or paid for the same; and that he is now accountable for the sums which have been received.—Magistrates Journal, Gaol Sessions, 20th February 1816.]

You have some papers to put in?—Yes; No 1, Office copy, order of sessions, Midsummer 1810, and twenty-nine others, being all the orders made at the sessions relative to Ilchester gaol since I have held the office of clerk of the peace. Also twenty-four reports of visiting magistrates, from Epiphany sessions 1813; and a copy of the draft of rules and regulations agreed to be adopted at the Epiphany sessions 1821, and submitted to the judges for their confirmation at last assizes, and which are now in the possession of the judges; and also a copy of a report made to the quarter sessions, with the draft of the proposed rules. I have received a letter from my agent in town, stating that he has applied to Mr. Justice Holroyd's clerk to obtain a confirmation of those rules, and had been informed by him, that the judges had not been yet enabled to consider these rules.

[Magistrates Journal, June 5th, 1821, Sessions order, Michaelmas 1820, *read*, commencing, a letter from Mr. Clive, &c.]

Was the sheriff or under sheriff present when that order was made?—I believe that Mr. Broderip, who was either under sheriff or represented the under sheriff, was present; but whether he was actually appointed under sheriff or not, I do not know; the sheriff certainly was not present.

Who is under sheriff now?—I can't tell whether Mr. Broderip or Mr. Mellior has been actually appointed; Mr. Broderip returned the session precept and process at the last sessions into court.

Then do you mean to say that you do not know whether Mr. Broderip is appointed under sheriff?—I really do not know, I never saw his appointment; I believe one of his firm is, but which of them I do not know; there are four in the firm, Broderip, Mellior, Broderip junior, and Lovell; they have been in the habit of attending the sessions, sometimes one of them and sometimes the other.

Who

E. Coles, Esq.
(6 June.)

Who was the high sheriff at the time of the last Michaelmas sessions?—I think sir Charles Bampfylde was the high sheriff, and he was not at the sessions.

Then what is stated in it, namely, that the order was made by and with the consent and approbation of the sheriff of the said county of Somerset, that, &c. is untrue?—The high sheriff was not present; I believe it to be true, inasmuch that Mr. Broderip, who was present at that sessions either in the character of under sheriff or representing him, gave his consent to that order; but never having seen the written appointment of under sheriff, I cannot take upon myself to swear that he was actually appointed the under sheriff.

Do you now believe that he was under sheriff at the last Michaelmas sessions?—I think I have heard since that Mr. Broderip was not the then under sheriff.

Then if Mr. Broderip was not the under sheriff, have you heard that Mr. Mellior was the under sheriff?—Yes, I have heard so.

Was Mr. Mellior at Taunton and gave his consent for the sheriff?—I believe not; I believe he was ill at the time, to the best of my recollection; he was not in the room on the first day, he might have come in and gone away without my knowing it.

Have you any doubt in your mind that Mr. Mellior was under sheriff at the time?—I believe he was under sheriff.

[Magistrates Journal, 15th December 1820, Sir Charles Bampfylde's order, read. Magistrates Journal, 13th February 1821, order of three magistrates relative to Mr. Hunt, read.]

Cross-examined by Mr. White.—How long have you filled the office of clerk of the peace?—Since Easter sessions 1810.

Was that the first time of executing the office?—I was first appointed deputy clerk of the peace, my brother was the clerk of the peace.

I believe you have attended in your official capacity at every session since that time?—I have.

Is it not the business of the magistrates on the first day of the sessions to adjust the business of the county?—It is.

Do not the treasurer, coroners, gaolers and other accountants with the county then produce their accounts?—Yes.

Are not those accounts inspected and examined by the magistrates?—They are.

Are not all the accountants examined on their oaths as to the accuracy of those accounts?—They are, with the exception of the bills generally paid by the keeper of the gaol, which are included in his general bills and verified by him; there are not separate orders made for them.

Are not the whole verified by the oath of the gaoler?—They are.

Are not those bills which you just excepted examined by the magistrates at a gaol session previously held?—They are examined at a meeting of the magistrates held at the gaol on the Thursday preceding every general quarter sessions.

Have you not, in the execution of your own office, had frequent opportunities of witnessing the conduct of Mr. Bridle in the execution of his office?—Yes, certainly.

Did you ever know him misconduct or misbehave himself in the execution of his office?—No.

Have you ever heard the slightest suspicion of his integrity?—Certainly not.

The reports which you have given in, embrace, amongst other things, reports of his conduct from time to time?—Yes.

As well as other matters relating to the gaol of Ilchester?—Yes.

Do you know Shepherd, who acts as his clerk?—Yes.

Did you know him before he was in custody?—Yes, from having lodged at his house during the sessions at Wells, nothing more.

Was he looked upon there as a tradesman of respectability?—I don't know.

Have you ever known him misconduct himself since he came into the gaol?—I don't know that he has.

William Wells, called in; and Sworn.

W. Wells.

Where do you live?—At Banwell.

Have you ever been imprisoned in this gaol?—Yes, as a time man.

How long since were you discharged?—Seven years last January.

How long were you confined?—Two years.

Examined by Mr. Hunt.—When you first came, where were you placed?—In the convict yard.

Did you come here before or after trial?—After trial.

What was your trade?—A cordwainer.

Were you put to work in the gaol?—After being here a fortnight or three weeks, the governor asked me if I should like to go to work? I said I should; I was not sent to hard labour.

Did you go to work in consequence?—Yes; this was Saturday night, and I went to work on the following Monday.

What took place then?—Mr. Bridle told me, as I was not for hard labour I should be paid for my work. When I had been at work a month, the governor called me in, and told me I should see Mr. Cook, the turnkey, paying the men their wages, but that I was not to take any notice of that, I should have none; but when I wanted money I was to apply to him, and he would let me have eight or ten shillings at a time; he said the less I had while

W. Wells.

(6 June.)

I was in gaol the more I should have when I went out; he said I should have enough to set me up in business, or something to that effect.

What wages did the tradesmen in the gaol at that time receive?—They received three shillings per week, and three shillings were funded.

How long did you go on without receiving any money?—In thirteen months I received only twenty-eight shillings from Mr. Bridle.

How did you manage without more money all that time?—I was obliged to send to my friends for money.

At the end of thirteen months did any alteration take place?—Mr. Acland and another magistrate were here, and the prisoners were called in and asked if they had any complaints to make against Mr. Bridle; I told the chairman that I had none at all; he asked me what pay I received per week, I told him I received none; I told him what Mr. Bridle told me, that he would advance eight or ten shillings at a time, as I wanted it; then he looked up to Mr. Bridle and said, Bridle, that will not do, this man shall receive half of his pay, whatever becomes due to him per week, so that he may know what is coming to him when he goes out as well as you; but never mind, my man, (he said) I'll see you are not wronged a shilling. From that time I received three shillings per week for the last eleven months; when my time was up I received five pounds.

No more?—No; and out of that I paid for my shoes that I wore here; I think it was about 30*s.* I told Mr. Lake, the taskmaster, that I thought there was a great mistake, and he told me that was all he was to pay me. I went over to Wells after that, to Mr. Bridle, who was at the sessions, and told him I thought there was a great mistake concerning my money in the reckoning, and he asked me how much I received. I told him, 5*l.* and he said, he thought there must be a great mistake, in case I received so much as that; and I told him what Mr. Acland said to me here, and that I should inform some of the magistrates of it, in case I could get no more. He asked me where I was going to live; I told him I intended to go to Bath; so he said, when he got home he would look over the books, and if there was any more coming to me, he would send it to me by the gaoler. Instead of going to Bath, I went home to my friends at Banwell. I sent a letter to Mr. Bridle, to know if any more money was coming to me; he sent me back an answer, that there was no more due to me. After that I went to Squire Acland at Fairfield, and told him what he promised me, and what money I received. He said, he could not say any thing against Bridle there, and told me to come to the gaol, at the next sessions, and what I was wronged of the magistrates would see me righted in. I was not able to attend. When I went out, I had no clothes, and what little money I had went for things.

Did you bring any clothes in with you?—I wore out all my clothes here, all except two shirts that I put into the store room; I never got them again.

How many weeks did you work in the whole?—Somewhere about a hundred weeks; I never lost a day.

You received then 1*l.* 8*s.*; 3*s.* a week for eleven months, and 5*l.* on going out; in all 13*l.*?—Yes.

And out of the 5*l.* you paid 30*s.* for shoes?—Yes.

And you consider yourself entitled to 6*s.* per week for the whole time you worked, being the same that other tradesmen had?—Yes.

Were you foreman part of the time?—Yes; and nine hands under me at a time; and I learned four apprentices during the while. Some of those that worked under me were debtors. I cut out their work.

How many pair of shoes did you make a week?—I can't tell.

Were there many shoes sold at that time?—Yes; some were made for the magistrates, and some for others.

Were there many sent out at a time?—I believe we packed up in large crates 800 pairs in one week. They were not made in a week.

Did any of the men that worked for you receive 6*s.* per week?—I believe none of them were for time; some of them received only 3*s.* per week who were for hard labour, that is, eighteen pence in money and eighteen pence funded. I don't know what the debtors received.

Was there any alteration in your pay during the last eleven or twelve months?—No; I had 3*s.* every week for the last eleven months, till my time was up.

[Shoemaker's Account Book.

"1813, February 13th to the 20th. } William Wells, foreman, six days at 2*s.* per day, paid 3*s.* county share, 8*s.* funded 1*s.*"]

How much money did you take away with you?—About 3*l.* 8*s.* When I was at work I had some shoes to make for some of the magistrates; I was to get them done to go by the coach; I was finishing off the last pair, and Mr. Bridle came in and asked if I had done the shoes; I told him I had not quite finished them; he began to curse me; about five minutes after I had done the shoes, and carried them out of the ward, and met Mr. Bridle in the ward, and he asked me where I was going; I told him I thought the coach might be gone; he said, damn your eyes, you son of a bitch, who gave you liberty to think?

Were you ever punished while you were here?—No.

Nor ever lost any work?—No.

Cross-

W. Wells.
(6 June.)

Cross-examined by Mr. White.—How was it you did not apply to have this account rectified?—I sent a letter to Mr. Bridle; that was seven years last January.

And you have done nothing since?—No; but I went to Squire Acland.

How long was that after sending the letter?—About a fortnight afterwards; he desired me to come here, and I had no money to bear my expenses. I thought I had got out of the place, and would endeavour to keep myself so. I should have come if I had had money.

How far is it from here to Banwell?—Thirty-four miles.

How came you to come now?—I thought this was the proper time. I heard there was a great many gentlemen here about it; and I thought if there was any redress to be had I might get it.

Then you were not applied to to come here?—Yes; I was summoned by the commissioners.

Examined by the Commissioners.—Then you have not made any application to any magistrate about this money since you went to Mr. Acland?—No.

You knew that there were meetings of the magistrates at the gaol at regular times, why did you not apply here at one of those times?—Because I was not able to come, on account of the expense.

[Adjourned at 7 P. M.

THURSDAY, 7th JUNE 1821. The Commissioners re-assembled at the Gaol, at 9 A. M.

George Goodman called in; and Sworn.

G. Goodman.
(7 June.)

WHERE do you live?—At Balsbury.

Have you ever been a debtor in the gaol?—Yes.

How long have you been in confinement?—I came in the 10th September, and was discharged the 6th day of June.

How long have you been ill?—Since last Thursday week.

Were you nurse to Edmund Treble, when he was ill?—Yes.

Did you sleep in the same room with him?—Yes.

What length of time had he been ill before he died?—About a fortnight.

How long did he keep his bed before he died?—About three days; he took to his bed on Monday and died on Thursday. He was up in conversation in the surgery on Monday.

During that fortnight had he every thing that was proper for him?—No, I can't say he had, exactly.

During the last three days of his illness had he nourishment and broth?—Mr. Bryer allowed him meat and beer on Monday; he had none on Monday; the beer he had on Tuesday, but the meat he did not have till the evening before he died.

Did he know the doctor had ordered it for him?—Yes, he told me the doctor had ordered it for him.

Did he say any thing about it?—He asked to know the reason the meat had not come for him to have the broth.

Had he plenty of gruel?—Yes, as much as he had a mind to have.

Did he eat much?—No, he could not eat much; as soon as he eat it he would cast it up again.

What sort of weather was it?—Very cold weather; the sitting up with him was the cause of my illness, it was so cold.

If it was so cold as to make you ill, who was a strong healthy man, how was it for him?—I was very stout and healthy before, but taking the smells from a deathy man, and the cold, and having nothing to drink, made me ill.

Had you any fire-place in the room?—No.

Did you give him cold gruel? Could you get to any fire?—I could not get to any fire, we were locked up; some time before, when he was first taken ill, I had liberty to go down to the fire, the first night.

Did you think the man wanted any thing warm?—Yes, of course.

Did you ask to be allowed to go to the fire?—I asked Mr. George Bridle, the turnkey, and he told me he could not let me down without the governor's leave.

Did any of the other debtors hear you ask?—Yes, Collard, Hays and several others.

What time was he taken worse?—About one or two o'clock on Thursday morning that he died; Mr. Robertson attended him, and about four or half-past four he died.

When Mr. Robertson attended, was George Bridle there?—Yes.

Did he see how ill he was?—Yes, he could not help seeing it.

Did not he leave the door open for you to go and get something warm then?—No.

What did you do when he died?—I called to the constable.

He did not sleep in the same room?—No.

Was it long before you made the constable hear?—No, not long; I made him hear, to alarm the turnkey.

Did George Bridle come to you?—No, not till the usual time of opening the rooms.

G. Goodman.

(7 June.)

Did the constable make George Bridle hear?—Yes, the constable told me that George Bridle answered him.

But you are sure he did not come to see whether the man was dead or dying?—Yes; he did not come till the time of opening, about seven or half-past seven.

Then the man had been dead three hours before any one came near you?—Yes.

Had doctor Bryer ever seen him after he kept his bed?—No; Mr. Bryer never saw him after the Monday, when he saw him in the surgery.

Did you attend the coroner's inquest?—Yes.

Did any medical man see him between the Monday when he was at the surgery, and the Thursday morning when doctor Robertson saw him?—No.

Did any doctor attend the inquest? Yes, Mr. Bryer.

Was not doctor Robertson there?—No.

Do you know any of the prisoners who attended the inquest?—Yes; Thomas Gillingham, Henry Child, Nathaniel Hodges, John Hays, George Capel and Samuel Stanley, six debtors

Was doctor Bryer examined before the jury in your presence?—Yes.

Were you examined?—Yes.

Who examined you?—The coroner.

Did you tell the jury or the coroner what state the man was in?—No, I did not.

Did you tell the coroner who was the last doctor that attended him?—No, I don't remember; I'll be hanged if I mind that I did; I know he asked about Mr. Valentine and Mr. Bryer, but I don't mind that he asked about Mr. Robertson.

Did the coroner inquire of you about the man's last illness?—No, I don't mind as he did.

Was any thing said in your hearing before the coroner about the man's not having broth and nourishment before he died?—No.

Did not the coroner inquire of you what medicines he took, and what he had to eat and drink?—The coroner asked me something about that concern.

What did you tell him?—The same as I have told now.

Had the man, as far as you can judge, what was necessary for him in his illness?—No, he had not.

Do you attribute your illness to attending upon him?—Yes.

What is your illness?—Cold in my stomach and chest, and a bad cough.

Did Mr. Bridle ever come to see him while he was ill?—No, I never saw him.

Cross-examined by Mr. White.—You could get to the fire by day though not by night?—Yes.

What was the latest that you could go to the fire on the night Treble died?—Nine o'clock.

Did you apply for leave to go down that night?—Yes.

And in the night on which he died?—Yes, I tried to go down, and could not.

Who did you apply to?—George Bridle.

At what time did you apply to him?—At nine o'clock; I asked him to have the door open for me to go down that night.

George Bridle was with you at one o'clock that night, was he not?—Yes.

Did the doctor then order something warm for him?—Yes, he sent something up by George Bridle for him to take, and I gave it to him.

That was about one o'clock?—Somewhere about one o'clock.

Did the doctor say he was to have any thing else warm that night?—No, he did not say that he was.

Did the doctor say to George Bridle, that he was to leave the door open for you to go to the fire?—No.

Did you at that time desire that it might be left open for you to go to the fire, if any thing was wanted?—Yes, two or three times.

Did the doctor hear you?—No.

Was it after the doctor went?—Yes, and before he came too.

Then you said nothing about it while the doctor was there?—No.

Why didn't you?—I don't know.

Did the doctor leave any directions with you to give him any thing afterwards?—No, only the medicine that George Bridle brought up.

Who was constable of the ward at that time?—John Hays.

He was one of the jury?—Yes.

Is he here now?—No, he has been gone a fortnight.

When he went to George Bridle, did he tell him that Treble was dead?—Yes, he made an alarm with his shoe or something, and told him he was dead.

Did you apply, on the night the stairs door was left open, for it to be left open?—Yes.

How was it left open then, and not on the night on which he died?—That I can't tell.

Did not Doctor Robertson attend Treble before one o'clock that night, as well as at one o'clock?—No.

Are

Are you quite sure he did not?—Yes.

G. Goodman.

(7 June.)

Do you recollect the hour at which you were locked up that night?—We were always locked up at nine o'clock.

Did Dr. Robertson attend between that and one o'clock? did he not attend at half past ten?—I can't tell to a minute or hour, it is so long ago; it might be at half past ten, or later; I can't say.

Did he attend him twice that night, or only once?—Only once.

Are you quite positive of that?—Yes.

Did Dr. Robertson express any opinion of the man's illness in your presence?—No, he did not; he looked at him, and said he would go and get some medicine for him directly.

Did he order him a fire?—No, he did not.

It was past one o'clock before he took the medicine that was ordered?—I suppose it was about that time, but I am not sure.

Did you apply that night for any thing for trouble?—No.

From whom did you receive the gruel and other things not ordered by the surgeon?—They came from Mr. Hobbs, the taskmaster.

Was not Hobbs in the habit of attending in the room while Treble was ill?—Yes, he used to come to see him.

Re-examined by Mr. Hunt.—There was no fire-place in the room?—No.

And Dr. Robertson knew that?—Yes.

Who did you receive the gruel and other things from?—George Bridle, and I understood that they were sent by Hobbs; I heard so.

Then all you know is, that George Bridle did not bring any meat or broth until the last evening?—Yes.

You have no means of knowing whether it was sent to George Bridle or not?—No.

Did you ever know a sick man in a dying state ever left in such a situation before?—No, I did not.

Doctor Robert Kinglake, William Shorland, and *John Robertson,* Sworn; having on Monday attended and received directions.

You deliver in this report in which you all agree?—Yes.

Dr. R. Kinglake, W. Shorland, T. Robertson.

Dr. Kinglake.—When you are speaking on the subject of the water, was your attention drawn to the circumstances of obtaining water from the river?—No.

Examined by Mr. Hunt.—You have not had an opportunity of analysing the water?—No; that would be attended with some delay: waters upon a strict analysis would be found to contain more or less mineral or saline substances, but in sufficient strength to affect their salubriousness for common use; and that seemed to be the case with the water in this gaol. If a water containing such substances should be judged to be impure, it could only be ascertained by the effects from drinking it. Nothing unquestionably hurtful appears to have been the effect of it upon the prisoners in this gaol, as far as our inquiry has gone, with the exception of an occasional complaining of gravel, which has been referred to the use of the water, but I think it may be doubted.

Had you an opportunity of examining Charles Hill, Richard Collard or Henry Child, upon the subject?—No.

If a man has been in the gaol fifteen years, and others who have been confined in it say, that they have invariably suffered from the gravel except when using the river water, and that then they have found relief, what should you think of the water then?—I should think such an instance would furnish a strong ground of suspicion that the water would dispose or induce a disposition to gravelly affection; but unless such an effect should be very general, it would only evince that the individuals who were so disordered with it had a natural tendency to such complaint.

In that case it is your opinion then that it would not produce gravel in those not previously affected by it, but only heighten it in those who were before affected with it?—Certainly.

[*Stockings produced.*]—What would be the effect to a man by wearing those stockings several months in the summer, without being washed?—That it would produce excoriation, and be extremely distressing and hurtful to the individual, and would produce a very hurtful effluvia in the atmosphere to those who live in it.

What effect would it have, supposing a hundred and fifty or two hundred prisoners wearing those stockings from the time they were made until they were worn out, without washing, supposing them all crowded together in the chapel of this gaol in the summer time?—I think it would be likely to contaminate the air sufficiently to produce typhus or gaol fever.

You have been in my ward?—I have.

Have you examined it sufficiently to ascertain the salubriousness or unhealthiness of the situation of it?—Surrounded as it is by high walls, I should think it unhealthy, from the circumstance of its being too much confined, subjecting the person who might occupy those apartments to be either oppressively heated or injuriously chilled, according to the prevailing temperature of the weather.

Can the situation be healthy, where the individual cannot have a sight of the sun several months in the year?—I should think not.

Did you examine the ward called the boys ward, or the hospital, and now occupied by female debtors?—Yes.

Dr. R. Kinglake, W. Shorland, T. Robertson.

(7 June.)

What is your opinion of that occupied as an hospital?—I think it would be exceedingly unsuitable for an hospital; the rooms being much too small for that purpose.

Have you no other objection than being too small?—The walls are much too high, and its northerly aspect is a decided objection to an hospital at any time.

Did you examine its aspect sufficiently to ascertain whether the sun ever enters it or not?—There can be no admission of sun or air from the south, it is exclusively confined to the north.

Is the general situation of the gaol altogether suited for such an establishment?—Were it a subject of consideration to find a fit situation for a gaol, I should think this decidedly unsuitable, owing to its being low generally, and particularly from the situation of the adjacent river, the bed of which is nearly on a level with the ground on which the gaol stands.

If the gaol be inundated, what effect would that have to the inhabitants of it?—The effect of inundation would be a chilling in the first instance, and afterwards a very injurious influence from the foul exhalations which would be inhaled during the drying.

Do you consider the female cells as properly ventilated for four persons?—A decided objection to the cells for females sleeping is, that there is no ventilation excepting over the door, the area of which is closed by an inner-door or screen, which fastens very closely, and which they can shut at pleasure, and I think might be productive of great danger of gradual suffocation during the night.

Is it so that when it is closed no air can be admitted?—Yes; and it is totally dark.

Did you find a sufficient supply of medicines for an assemblage of two or three hundred persons?—I should think not; there did not seem to be a proper arrangement; the medicines are not generally labelled; the place altogether is insufficient for the purpose, it being little more than a closet.

Is it your opinion that if the county provided the medicines instead of their being found by the surgeon, it would be advantageous?—Perhaps it might be more advantageous if a shop was provided by the county, from which medicines should be dispensed by the medical attendant.

Is there space sufficient in the surgery for the surgeon to see and examine his sick patients?—No; they can't be admitted into the surgery on account of its being too small; and the passage is very unsuitable for that purpose.

Did you find any vials in the surgery?—I don't remember seeing any.

Can all necessary medicines be effectively administered in powder and pills?—Not every variety can be so administered, but very powerful and efficient medicines may be.

Did you notice the room called the conversation-room?—Yes, I did.

Is that in any respect a fit and proper place for such a purpose?—It would for about half-a-dozen persons; there are wooden screens attached to the windows outside, which block up two-thirds of the area of the windows, and render the air of the apartment exceedingly close and confined.

Examined by the Commissioners.—With regard to the ventilation of cells in which prisoners are intended to sleep, how would you recommend that they should be ventilated?—That they should be ventilated at the side of the door, instead of over it, with a window and glass in it, and a convenient mode of opening the window for the admission of air.

Do you think that an aperture in the ceiling would be peculiarly advantageous?—I should think that an opening in the side, connected with an extensive area, would supersede the necessity of another opening.

Messrs. Shorland and Robertson examined.—In the opinion which Dr. Kinglake has given us to-day, do you severally agree upon the respective points to which he has been examined?—Yes.

Dr. Kinglake again examined by the Commissioners.

[Bread of this day's delivery being produced and examined by Dr. Kinglake.]

Is that bread, in your judgment, of a fair and marketable quality?—No; and scarcely eatable to a person who has been accustomed to consume bread of a good quality.

Do you observe any thing in the taste or smell of that bread, on which you would offer any observation?—The taste is unpalatable, and the smell is not that of good bread.

In the manner in which it has been worked into bread, or in the baking of it, is there any thing to notice upon?—No, I am not aware that there is.

Should you, from the observation which you have been able to make, say that there is any thing of an injurious nature mixed up in the bread?—Without being able to say that, I should infer from its flavour and smell, that it is not wholesome.

Messrs. Shorland and Robertson again examined by the Commissioners.—Do you concur in that opinion?—(Mr. *Shorland*) I have tasted of it; it appears to me to have been made of stale flour in a state of fermentation.—(Mr. *Robertson*) I should consider the way in which it has been made into bread to be exceedingly objectionable from the heaviness of it, and consequently injurious, in a certain degree, to those who eat it, especially as regards digestion.

To Doctor Kinglake, Mr. Shorland and Mr. Robertson.—From the opinions then that you have individually and collectively expressed, is it the opinion of each and of every one of you, that this bread is or is not of a fair and marketable quality?—That it is not.

[Adjourned at ¼ past 12 P. M. until 2 P. M.

The Commissioners re-assemble at that time.

John Hutfield Sherry called in; and Sworn.

J. H. Sherry.
(7 June.)

Have you ever been in confinement in this gaol?—Yes; as a crown debtor.

How long is it since you obtained your discharge?—Two years last January.

Where do you live?—West Lambrook.

Examined by Mr. Hunt.—How long was you confined here?—Nearly two years and a half.

During the time that you was confined here, how was the water?—At certain times it smelt; in summer particularly it smelt offensively stagnant.

Was the gaol ever inundated whilst you were here?—Several times, up over my shoes in the sitting-room.

How deep might it be in the yard?—It was deep enough for a person to get into a box and float with the assistance of a stick to the privy; and during such inundation we were obliged to keep up stairs; we were allowed to remain up stairs during the day, at that time.

Was there a gaoler's garden in any part of the yard?—Yes.

What part was that?—It was the left hand as you went out into the yard.

Was that considered an encroachment or annoyance to the prisoners?—Yes, we did not like it; there was as many as fifty-one or fifty-two persons in the ward at one time.

Was there accommodation for so many persons?—Certainly not; it was exceedingly crowded when there was so many.

How many have you known sleep in a bed-room?—Fifteen or sixteen, and at one time I believe seventeen.

At any time whilst it was so full what accommodation had you for seeing your wives?—They were allowed to go into the ward and into the conversation-room.

If your wife came to see you there was no opportunity for you to receive her, except in the public-room and conversation-room?—No; without the connivance of the constable, who kept the key of the staircase door.

Was it prohibited for men to see their wives in private by the gaoler?—Yes; because I had a conversation with Mr. Bridle about the key, having just written a letter to him, to which I received no answer. I saw him, and pointed out to him a mode whereby a man and his wife may have private conversation without going into the three principal rooms above stairs: understanding that the objection was, that they should not dirt the rooms, and, by locking the iron doors of those three rooms, either of the other two small rooms in the staircase may be appropriated for such a purpose. Mr. Bridle did not feel himself justified in acceding to that. I remarked to him on the indecencies which frequently occurred for want of such a place, and requested that he would walk out on the battlements, and look into the debtors-yard, where he might see two or three men and their wives in very indecent positions. I said it was shocking for any decent female to be there and to see it; and then Mr. Bridle made use of this observation, laughing at the same time, "The sight of that makes "the old fellows so lecherous." I then left him.

That was the answer made to you upon your application to see your wives decently in private?—Yes.

You are sure that Mr. Bridle knew of your not being able to see your wives in private?—Yes.

In your ward, or in any other part of the gaol, was there, to your knowledge, any written or printed rule prohibiting you from seeing your wives in your bed-rooms in private?—I never saw any.

In consequence of this prohibition, there were such indecencies occurring as prevented you from seeing Mrs. Sherry in the ward?—So often as I should otherwise have done. I saw Mrs. Sherry in the visiting-room every day. I must say that whilst she was in the ward, the men behaved exceedingly well, and I never saw any indecencies committed whilst she was there; but I have at other times.

Was your going up stairs ever connived at by the constable?—O yes.

Was any bribe ever given?—I never gave any; but there was an understanding that the constable expected something.

Was there any fixed price at which a prisoner in Ilchester gaol might see his wife in the bed-room?—I have heard that sixpence or a shilling has frequently been paid; I never saw any paid.

Did you ever fall under the displeasure of Mr. Bridle whilst here?—Yes.

Did you get any punishment?—Yes; I was confined in the felons ward for three weeks.

Was it by order of a magistrate?—No; I was not taken before a magistrate.

What was your offence?—Mr. Bridle sent for me one afternoon; there was present Mr. Hartray, a debtor to be discharged on that day. Mr. Hartray and myself had had a dispute; Mr. Bridle asked me what I had been saying of him to Mr. Hartray; I told him I could not recollect; he asked me if I had not said to Mr. Hartray that he had risen from the ranks of a militia regiment; I said I had said so in answer to a question of Mr. Hartray as to who Mr. Bridle was; he asked me if I had not also stated that he had been a sixteenth lieutenant on board the hulks; I admitted that I had said so, for I had been so informed; he said, well sir, for this and your other conduct in making a disturbance in the ward about the beer, I have found out another place for you; then calling to the turnkey, or one of the time men, he said take him away, and I requested to be allowed to go back for my papers, which he

J. H. Sherry.

(7 June.)

allowed, and ordered that I should make haste. I was then put into a ward where felons are usually confined, and at night locked into a cell, the floor of which was stone; the light was admitted by a small fan-light without glass, and without the accommodation of either table or chair. The lock which was very large was turned, and I remained locked up all night.

What accommodation had you for bed?—There was a bedstead and straw bed, but I might have another bed if I pleased; for six or seven who volunteered to go with me did have their beds from the debtors ward. I slept on straw by choice, it having been my habit so to do.

Was there any other occasion when there was any complaint made against you?—Yes; there was a charge preferred against me by two persons, by names of Avis and Bulpin, which charge I on my oath declared to be totally false. I had done business for Bulpin in my professional capacity, and he not having gratitude enough to pay me for my trouble I detained his papers. As to Avis, the pretended charge sought by him against me, was to return to him a one pound note which he lent to one Troake to pay me. I never received therefore any money either from Avis or Bulpin; but I find that the magistrates to whom they prefered their complaint, made a minute in the Magistrates Journal, that I had extorted money from those persons, whereas on my oath I never received sixpence from them in the course of my life.

You had no opportunity of defending yourself upon oath?—I had not.

Did you request it?—I did, and that was the reason why I broke off the investigation.

What was the dispute about the beer?—There is a custom in the ward, or a rule, a rule I believe, that the debtors are to have their beer from such inn in the town as they thought fit: when the time came to take the sense of the debtors on that subject, the electioneering interest in the borough ran very high at that time; I was in the habit of receiving much civility from the family of Tasan's, who are of the blue party, and Mr. Bridle was of the yellow party. Two of the inns were on one side, and some on the other; the majority of the debtors chose to have their beer from a blue house; I was one of them; and it was very shortly after this determination that there was a canvass going on in the ward to take away the having beer from one house in order to have it from the yellow house; this I resisted, not by making riot or violence; but the other party not being able to gain a majority the order remained as it was.

Were the debtors ever mixed with other prisoners who were not debtors?—On one occasion at Christmas time there was baked meat and potatoes, and so forth; and several prisoners, amongst whom were two convicted felons, were brought into the debtors-ward to partake of the supper, and there was beer distributed round indiscriminately; and when it came to my turn, I refused to drink out of the same cup with those convicted felons. During the time these persons were regaling themselves, one Collins, a turnkey, came in and said, "Well, "gentlemen of the time-yard, how get you on?" I considered it an insult.

Was Shepherd in your ward at that time?—Yes.

Was he Mr. Bridle's clerk at that time?—Yes.

Being selected as Mr. Bridle's clerk, what sort of a man was he in manners and behaviour?—I always considered his word so light, that I would not believe him on his oath, I have caught him in so many lies.

Is there any thing particular in his language or manners?—Yes; although it was by no means uncommon for oaths to be used in that ward, his swearing and blaspheming exceeded any thing of the kind I had ever heard before I came to Ilchester.

Was the conversation-room the same as that now used?—Yes, for part of the time.

Did you consider this room in the winter time as a proper place?—By no means; there was no fire or stool; and the floor being stone, I generally took up a piece of board for Mrs. Sherry to put her feet upon.

Cross-examined by Mr. White.—At the time you allude to as there being fifteen or sixteen sleeping in the same room, it might be owing to the crowded state of the prison?—It might be so; but the apartment below is so extremely small, as to be injurious; and particularly after locking up, it is necessary to keep the window open, and then there is danger of catching cold, and if shut, it is insufferably nauseous.

When you was ordered into the cell by Mr. Bridle, did you complain to a magistrate?—Yes, I did, at the next gaol sessions.

Do you recollect the magistrate who attended?—Yes; Mr. Goodford, Mr. Poole, and other magistrates.

Do you recollect the date of this occurrence?—It was some time in June, in the first or second year of my confinement.

Was the complaint investigated?—No; Mr. Bridle and I compromised, and shook hands.

You had preferred your complaint?—I told Mr. Goodford that I had a complaint to make. Both Mr. Bridle and me were reconciled in the presence of the magistrates. My reason for making up with him was, that I discovered that Mr. Bridle had been in the habit of reporting me to the Excise, as I conceived, falsely, and therefore I was determined to make peace with him, and put up with any indignity, rather than offend him, because of the power he had to make these reports.

Though the staircase door was shut at a certain hour in the morning, could you not occasionally retire to your bed-room for private business?—Yes, we could ourselves, but not with a woman; she was always obliged to go by stealth.

Could you not, on application, go up for private business?—I have frequently gone up to write, on application.

Was

J. H. Sherry.
(7 June.)

Was you ever refused?—I have been more than once or twice, but it was not generally so.

Perhaps you cannot say that you was refused three times?—I was frequently refused when Collins was turnkey, because he was an uncouth sort of a fellow.

Perhaps you never felt it necessary to apply to Mr. Bridle on such occasions?—I never troubled him on such trifling occasions.

It was a very common thing for men and their wives to go up stairs: perhaps you have heard Mr. Bridle regret that such was the practice?—I never did; but I felt very much hurt at the way in which Mr. Bridle said, when the key of the stairs was taken away, "I suppose "that you will have it again." I felt much insulted and degraded at the manner he addressed me.

Has he ever encouraged you to make excuses for going up stairs?—Never.

What do you mean about the disturbance as to the beer?—I mean, that the electioneering made quite a party in the ward, as to the blue house and the yellow house.

Did not Avis make his complaint to a magistrate?—Yes.

What was the result?—I declined proceeding farther, as the witnesses were not sworn.

I believe you complained to Mr. Bridle of your name appearing in the Magistrates Journal?—I did; I cannot recollect what Mr. Bridle said; but I was supplied with a copy of the minutes by order of the sheriff; I believe I wrote to him a letter for the minutes, and not receiving a satisfactory answer, I sent him a notice.

Did you speak to Mr. Bridle respecting the minutes, a few days since?—I saw Mr. Bridle in consequence of having heard that my name was frequently made use of in those books; which having become public, I thought it due to my situation in life to have an opportunity of inspecting them, that I might refute any thing that had there been falsely entered. Mr. Bridle assured me that my name had not been mentioned in the slightest degree during the whole of the investigation. I am not sure whether I said to him that I did not want to trouble myself about the affairs of the gaol, except for the establishment of my own character. I believe I made use of that observation, that as the minutes had been made public I was determined to confute them.

Did he not say that he felt as much hurt at the exposure as yourself?—No, I don't recollect any thing of the sort, because he assured me that my name had not been mentioned from the beginning to the end; he said the books had not been published, and therefore not been seen.

Did he not say to you that if you would write a note to him he would show it to the sheriff and get the best explanation for you that he could?—Certainly he did.

Did the gentleman who communicated this to you inform you in what manner the subject was introduced?—He stated that he had seen the Magistrates Occurrence-book, and the Keeper's Diary, and that my name was mentioned in a way prejudicial to my character; and that caused me to make application immediately to Mr. Bridle on the subject.

He did not say that this was introduced by Mr. Bridle to the notice of the magistrates on that investigation?—No; he merely stated, that in turning over the books he had seen my name mentioned several times in a way not creditable to me.

Who gave you this information?—Mr. Shillibeer.

I believe the person applied to supply liquor to the debtors is appointed by the debtors at the gaol sessions?—Yes, by a majority of them.

Were not the criminals treated with a supper from the choir in the chapel?—I believe they did.

Some of the debtors and also of the choir?—They were at that time.

Was it not on the request of those debtors, and on a special occasion, that those men were sent for to treat them with sacred music?—I believe it was so; I did not send for them.

Was there not sacred music on that occasion?—I can't charge my memory what music; they were had into the house, and afterwards came into our ward to supper; I was very indignant at them coming there, and threw the cup when the beer was handed to me under the grate.

Are these notes your hand-writing?—Yes, No. 1 to No. 4.

Did the men take their wives to their bed-rooms by stealth, or by the connivance of the constable?—By stealth, or by the connivance of the constable. The reason the order was enforced so strictly was, that Mr. Bridle had seen a woman at the window from the bridge, as the turnkey informed me, and the turnkey had orders to take away the key at nine o'clock.

Did you take up a party opposite to Mr. Bridle?—I did certainly; certain persons from the town, with yellow cockades, came in and walked up to the window, and laughed and pointed at me.

Did you by canvassing, or by your exertions, obtain the greatest number of votes among the debtors for the beer to be supplied from the blue house?—Yes, I did.

Did you conceive that particularly for this you were remanded to the other ward?—Mr. Bridle told me so.

Re-examined by Mr. Hunt.—Did you hear that the magistrates had allowed me to use the books for the purpose of taking extracts from them?—Mr. Hanning told me so.

You are quite sure that Mr. Bridle did not tell you that he was as much hurt at the exposure as you were?—Yes.

Examined by the Commissioners.—Were you, during any part of the three weeks that you were confined, taken before any magistrate for the purpose of your case being investigated?—Certainly not.

C. Stockham.

(7 June.)

Charles Stockham called in; and Sworn.

Where do you live?—At Axbridge.

Was you ever a prisoner in this gaol?—Yes; a debtor.

How long were you confined?—About fourteen months, in 1812 and 1813.

Were you a prisoner at any other time?—Yes; 1820 and 1821; I came in two or three days before Christmas and was discharged in March.

Examined by Mr. Hunt.—Where were you placed when you came in the first time?—In the upper debtors ward.

How long did you remain there?—Till the visiting magistrate came; I was not able to support myself, and I applied for the county allowance; the magistrates granted it me.

Where were you then placed?—In the lower ward.

What then?—I was sent to work at six shillings per week, polling stones for bordering round the prison, and some of them were put in our ward to make a garden; we kept at that sometime, until there was occasion to have some gravel in, from outside the lodge. Time men brought the gravel to the inside gate, and we took it from them, and carried it in boxes to the debtors ward to gravel the whole yard with it; I continued until my fingers were raw in carrying the boxes. I am a hatter by trade, and the tops of my fingers were very tender, from working in boiling water, and blood came from under my nails. I told Mr. Lake, the taskmaster, that I could not carry any more, as my fingers were so sore, and he ordered me into the lower ward, and kept me there until the visiting magistrates came, without my allowance of bread; the visiting magistrates came, and I was taken into the gaoler's parlour before them, and they asked me the reason of this complaint, and I told them; the magistrates ordered me down to the condemned cell.

How do you know it was a condemned cell?—It was called so; and there was a board in it, when I went in the cell, that old Bag had been laid out on, after he was hanged that day.

How long did you remain there?—A day or two after some stones were sent in to be broken; while I was there some of my friends came to see me, and I asked permission to go into the visiting-room as a debtor should, but I was refused it; I had a nephew come from Wells with some things for me.

Did not they let him in?—He was had down to the railing by the chapel, and the turnkey with him, to hear what I had to say to him; my friends wanted to see me in the conversation-room respecting the insolvent act that was then coming out, and I was refused going there a second time.

How long were you kept in this cell?—From eight to ten weeks I believe it was; I had an iron bedstead to lie on, and a Ham-hill stone floor.

By day were there more persons than one?—Yes, four debtors.

Were any of them dirty?—Yes, one of them, John Arnold, was lousy; I made complaint of it once to Mr. Lake, but no notice was taken of it; I then wrote a note to the governor, complaining how lousy Arnold was; in a day or two Mr. Lake and Rossiter (a turnkey), came into the cell and found what I had reported was true.

Were you all made lousy in consequence of his not being removed?—Yes; he was taken out and washed and brought back to the ward in clean clothes, and while they were cleaning the prison dress was put on him; I complained to the magistrates having got a terrible cold there, and was ordered back to my ward.

Do you mean that during the whole time you were there, you were prevented seeing your wives in private?—I was.

Was there any other complaint against you than you have mentioned about the boxes?—No; but there was a petition wrote, and we were going to send it to the House of Commons, but it was refused being sent; however it did not go; it was found somewhere, and was brought into the governor's house.

Was that alleged against you at the time you were sent into confinement?—We were going to petition after I was sent into the ward for refusing to carry the boxes.

Were there any others concerned in petitioning who were sent to the cell?—Yes.

Were there any other prisoners confined there who were not concerned in petitioning?—Culliford was there; I don't know whether he signed it or not.

Are you sure Culliford was a debtor?—He was in the debtors ward with us; I don't know whether he was a debtor or not. I was quite grieved that Culliford should have his wife all day with him when I was refused seeing my friends in private. I asked several times to go into the conversation-room, and was refused.

[Magistrates Journal, November 25, 1813.]

Did you work voluntarily?—We were compelled to work or have no allowance of bread.

Was that petition stopped and prevented from being sent?—Yes; it was not sent.

Was it after your bread was stopped before you began to write that petition?—Yes, it was.

Were you examined about that petition?—Yes, down in the parlour. While I was making my complaint of having no bread, Mr. Acland, the chairman, told the clerk to bring a looking-glass for me to see whether I looked as if I wanted bread at that time; I made answer that I always carried a fresh colour. He asked if I knew that hand-writing to the petition; I told him yes, I did, that I wrote it; that was all that passed, I believe.

Did you admit before the magistrates that all that was stated in that petition was false?—No, I told them it was true, I did.

Do you know whether Culliford was put into confinement before or after you were?—We were all put down together the same day, Culliford and all.

Was John Arnold put down with you?—Yes.

Was Thomas Cooksey?—No, he was working about the governor's house.

Was

C. Stockham.

(7 June.)

Was John Batten?—No.
Why?—I don't know.
Samuel Martin?—No.
Richard Martin?—No.
William Reed?—No.
And you are sure Culliford had his wife into the ward with him?—Yes.
Where does he live?—In Ilchester; he is a butcher, and brings meat to the gaol.
Is he a voter for Ilchester?—Yes.
Does he belong to the same party that Mr. Bridle does?—I don't know.
Did you serve on any coroner's inquest whilst you were here?—Yes, I did.
What was the name of the man?—I don't know.
What part of the prison did he lie in after he was dead?—Down behind the chapel; I believe the same place where I was confined in.
Did you understand what complaint he died of?—Yes, a gravelly complaint.
Had you at chapel previous to that heard any man making a noise?—Yes, he groaned very much.
Did you understand at the inquest that that was the man?—Yes.
In what way was the body examined?—We went up to examine the body, it was not naked all over, and we did not pull the cloth quite off.
How much of it was taken off?—It was pulled down to the breast. There was a mark about the forehead as if from a blow.
Are you quite sure the cloth was not pulled down, and the body turned over and examined all over?—Yes.
How was the water in your ward?—Very indifferent; it was better the first time, but then it stunk sometimes, and the last time it was much worse; there was no making any use of it.
Were you ever under the doctor's hands?—Yes, the last time; I applied to him for the gravel, and he gave me some medicine at first that did me a little good; I applied to him again, and he let me have some salt stuff, it was not salts; I thought it would have killed me and another debtor. He asked for some salts; the doctor said he would bring a waggon load of salts. I thought we should never get over it, we were not at ease a moment. The next time the doctor came we told him of it, but he only laughed at it. After that I had two hats to clean, and put them to dry on the border stones of the garden plat: George Bridle came and threw them into the dirt, and told me not to put a hat there any more. A man named Crouch was there at the time.
Was he deranged while you were there?—No.
Cross-examined by Mr. White.—The allowance that was given to you was work, not the bread and pence?—I applied for the bread and pence first.
Did you not afterwards apply for work?—Yes.
Why do you say you were compelled to work?—I said I could not do the work, and then I was compelled to work, or have no bread.
You brought a certificate when you last came to the gaol to entitle you to the county allowance?—Yes; but I did not receive it.
How was it you did not receive it?—I did not want it; I knew I should not be there but a few weeks, as the act was coming out.
Then it was an act of your own, not receiving it?—Yes.
Did you not go into the lower ward at first?—No.
You knew Charles Hill was there?—Yes.
Was it because Hill was there that you did not go into that ward?—Not particularly.
When you were told Charles Hill was there, did you assign that as a reason for not going there?—I said to the governor, that perhaps Charles Hill and I should not agree.
Did you say you had suffered enough by him already?—No, I did not.
Examined by the Commissioners.—Was the poor-box opened while you were here?—Not to my knowledge.
Did you ever receive in coals, or any gratuity, any thing that you were told was bought with money from the poor-box?—No; we understood that the coals that was given at Christmas were sent by the magistrates.

James Johnson, called in; and Sworn.

J. Johnson.

You are a prisoner in this gaol?—Yes.
How long have you been so?—Five months.
How long have you to stay?—Seven months.
What are you under sentence for?—Felony.
Examined by Mr. Hunt.—Who have you slept with since you have been here?—I have slept with George Stillman and James Gardner.
How long did you sleep with Stillman?—Five weeks.
You know what he is confined for?—Bestiality.
Did he ever behave indecently to you?—Yes.
Did he frequently do so at night, when you have been in bed?—Yes.
You don't sleep with him now?—No; no one sleeps with him now.
Who else has slept with him?—Daniel Fry, who is gone out; and George Stanner slept with him, he is gone out too.
He behaved very indecently to you?—Yes.
Examined by the Commissioners.—Did you ever complain of Stillman's conduct?—No.
Why not?—I did not think it worth my while; I thought he was senseless.

What

J. Johnson. (7 June.)

What was your reason for thinking so?—I thought he would not be here for such a crime if he was in his right senses.

Do you know why he was not put into a cell by himself?—There are three in the same cell, but no one sleeps in the same bed.

Do you sleep in the same cell?—No.

Do you know why he was removed from your bed?—No.

Did the turnkey, or any officer in the gaol, know that you and he laid in the same bed?—Yes, the turnkey.

What turnkey?—Mr. Pike.

How old are you?—Eighteen years.

James Howe, called in; and Sworn.

J. Howe.

You are a prisoner in this gaol?—Yes.

Convicted of what?—Felony.

Sentenced for what period?—Twelve months.

When did you come into the gaol?—About the 8th or 9th of April.

Examined by Mr. Hunt.—Do you know a man named Dredge?—I do.

Do you know what crime he is in gaol for?—I have heard, within these few days, that it is for an unnatural offence.

Has he been tried?—Yes, and sentenced to two years imprisonment.

Have you slept in the same cell with him?—Yes, and sleep there now.

Do any other prisoners sleep there but you two?—No.

Did you know, when you were put to sleep in the same cell, that he had been convicted of that offence?—No, I did not know it for a fortnight or three weeks.

Did you know that anybody else slept in the same cell?—Yes; I saw Taylor, who was cast for death, but is gone off as a transport.

When Taylor went away, were you placed there, or did you apply to go there?—I was in a dark cell where we slept two in a bed, and I asked Mr. Pike to let me go into a light cell; I did not know anything of the man's crime at that time,

Did Pike then put you into that cell?—Yes, he told me to go into that cell.

He did not tell you anything of the man's crime?—No.

If he had told you, should you have chosen to have gone there?—No; and I don't like to be there now; but there is no other cell convenient.

Cross-examined by Mr. White.—Does Mr. Bridle know where you sleep?—No, I don't think he does.

How old are you?—Forty-two years.

How many beds are in this cell?—Two.

You sleep in one and Dredge in another?—Yes.

[Adjourned at three quarters past 6 P. M. until 9 To-morrow morning.

FRIDAY, June 8th, 1821. The Commissioners assembled at 9 A. M.

Nicholas Collard called in; and Sworn.

N. Collard. (8 June.)

WHERE do you live?—Taunton.

Were you a debtor in this gaol?—Yes.

When were you discharged?—Three weeks ago yesterday.

How long were you in confinement?—Sixty weeks and a few days.

Examined by Mr. Hunt.—Did you find any ill effects from the water when you were here?—I did very much.

In what way?—In the gravel complaint.

Had you been subject to the gravel before?—I had, very slightly.

Did anything you met with here increase it?—Yes, I was very ill whilst here; I imputed it to the use of the water.

Did you apply for medical assistance?—I did, to the doctor, frequently.

What did he do or say to you?—I applied to the doctor for salts; he said he did not think they were necessary for me, but some time after he gave me some, when I applied again; I was very costive.

Did you ever complain of the water to the officers or magistrates?—I did.

Did you take measures to get other water?—I got some rain water from the roof of the house, and found myself better from the use of it, and from using snow water; then I applied to Mr. George Bridle, at different times, that I might be allowed to have in water from the town if I got a pitcher; he made me but slight answers at different times; I desired my wife to buy a pitcher to try if water could be brought in; she did so, and brought it in with water one morning, and the next morning it was stopped at the lodge; she informed me of it, and I was going to the conversation-room, and saw Mr. Pike in the passage, and asked him if the water was stopped; he told me yes, he could not allow me to take it in till he asked the governor leave, (this was nine o'clock in the morning); I stated to him how ill I was, which I imputed to drinking hard water, and I did not choose to drink any more of it; he said if I was to find fault with it there would be a fine to do, that all the rest would be finding fault with it; I said it did not concern me what other people did, and desired him to speak to the governor about it, or I would write to him, as I was waiting for it for my breakfast; he told me he would; I said if it was not allowed by the governor I would report it to the magistrates; I had no answer respecting it till the magistrates came, in the middle of the same day; Mr. Newman came into the yard, and asked if there was any complaint, and I told him that the water was stopped; he was much surprised that I was refused soft water, and said I should have it whenever I pleased, or any one else. What

N. Collard.
(8 June.)

What time did you get the water?—Soon after the pitcher was sent down from the lodge; between one and two o'clock.

Was your wife in consequence of this order allowed to bring in what water she liked afterwards?—No.

How was that?—The pitcher was to be left at the lodge at night when she went out, and she was to have it next morning filled for her.

She was never allowed to go out and fetch water?—No; she was told there was a fresh water pump in the yard, and that the pitcher was to be filled for her.

How long ago was it when you first applied to have water brought in?—Some time after Christmas, after I had used snow water; and it was immediately after I ceased to get that, about four months ago.

It was long before you heard that I was endeavouring to get an inquiry?—Yes.

As your wife was not allowed to bring in water, was the water that you did get always good?—No.

Was it ever very bad?—It was sometimes very foul and thick.

While you were prohibited bringing in water from the town, were you allowed to purchase a pint of small beer?—No.

Were you prohibited receiving it as a gift without an order from the doctor?—Yes.

Do you know of any rule or regulation, written or printed, to prevent your purchasing a quart of small beer?—No; there was a rule that we should be allowed to have a quart.

Was your wife ever allowed to bring in water from the town until the late inquiry by the magistrates?—No; she had only permission to leave the pitcher at the lodge to be filled.

Your wife staid in Ilchester?—Yes, nearly during the whole time I was here.

How often was your wife allowed to go out and come in; every day?—Once she was allowed to come in and to go out and return, that was the rule.

Has she been denied coming in a second time?—Yes.

Had you a daughter staying in Ilchester?—Yes, from Christmas; she was at school in Ilchester.

How old is she?—Nine years last February.

If your wife and daughter came in together, how did they manage?—My wife was allowed to come into the ward, and my daughter was obliged to go into the conversation-room by herself.

You and your wife being in the ward, and your daughter in the conversation-room, could you and your wife go together to the conversation-room to her?—No; I could, but not my wife, and my wife was obliged to remain in the ward.

Was there any written rule to prevent you and your wife going together to the conversation-room?—No, I know of none.

What was your wife obliged to do to enable her to be with you and your daughter in the conversation-room?—She was obliged to go out to the town, and then return in, and go to the conversation-room, but she was allowed to go with me from thence to the ward.

Have you been taken by habeas corpus to attend any place as a witness?—Yes, to Taunton, last assizes twelvemonth.

How did you go?—I was taken there in a gig; I was bound in recognizance.

Where were you placed when there?—In the house of correction.

Who was with you?—The turnkeys and hangman.

Where did you sleep?—In a cell.

How were you brought back?—On the county caravan, with the felons.

Was any thing said about paying you your expenses?—Yes; when the assizes were over, Mr. Bridle came to me, and said, he had got a guinea from Mr. Pinchard, the attorney for the prosecution. I said, how is it that no more is allowed me? He said, if he had had the getting of it, he should have tried to have got me more.

Did you try to ascertain whether any more was allowed?—I sent a message to Mr. Pinchard that evening, and the next morning I was brought away before I had an answer.

Did you afterwards learn that there was more money allowed for you?—I did.

How much?—£.3. 11*s.* I had word sent me from Mr. Pinchard, that 3*l.* 11*s.* was paid to Mr. Bridle for me.

How long were you out?—I think eight days. I went out on Wednesday, and came back on Wednesday.

Did you pay your own expenses?—I did, down and up, and while I was there.

You did not take the guinea at Taunton?—No; about a week after I came back, my wife brought me word that Mr. Pinchard had paid 3*l.* 11*s.* for me. Some little time after that, the governor came into the yard, and said, Collard, I've not paid you that guinea yet, you can have it now. I told him that I had had a message from Mr. Pinchard, that he had

N. Collard.

(8 June.)

had paid 3*l.* 11*s.* Mr. Bridle said it was no business to me what Mr. Pinchard paid him, he had but a guinea for me. He asked me where the letter was? I said I had no letter, my wife brought me word of it. He said I should not have a farthing till I had a letter from Mr. Pinchard.

After this did he offer to pay you this money, or did you apply for it?—Some time after I went up to sign my schedule at the governor's house, and then I told Mr. Bridle that if no more than a guinea was allowed me, as I was very much distressed for money, I should be much obliged if he would let me have the guinea. He asked me if I had a letter from Mr. Pinchard? I said I had not. Mr. Bridle produced a letter that he had from Mr. Pinchard, and gave me the letter to look over, as well as read to me himself. It stated that 3*l.* 11*s.* was paid, including what the governor had charged for my conveyance. Mr. Bridle gave me the guinea, and said, "Your stomach is come; you thought I was going "to swindle you out of the money." Mr. Bridle asked how I thought I was to be carried down? I said I thought it was at the county expense. Mr. Bridle said no, that would be a pretty thing.

You went down with his horse and gig?—I understood so; it is twenty-four miles.

Who paid the expense of the man that went with you?—I did, what he had on the road.

Were you ever punished in the gaol?—Yes.

Were you ever placed in solitary confinement while you were a debtor?—Yes.

Where was it?—In the refractory-ward, in a single cell.

How long were you kept there?—Eight weeks, all but three days.

Were you taken before a magistrate before you were taken down?—No.

Were you ever taken before a magistrate to have the complaint laid before him?—No; a visiting magistrate came to the refractory-ward five or six weeks after I was locked up, and asked if I had any complaint; I told him I had not. He asked me over again, and was much surprised I had no complaint.

What was the alleged cause of your being confined?—Some words took place between me and my wife, and William Coles interfered and pushed his fist against my cheek, and said he'd strike my head off. I was eating some bread and cheese; I had a small knife in my hand. I said, if he struck me without a cause, as I had not offended him, I would strike the knife into him, in my own defence.

Did you make any attempt to strike the knife into him?—No, he drawed off, and did not strike me.

Did you mean to put that threat in execution, or did you make it only to prevent him from striking you?—I merely did it in my own defence; I did not wish to strike the knife into him; if I had, I could have done it.

For this you were put between seven and eight weeks in confinement?—Yes.

What was done to Coles, who assaulted you?—Nothing.

Were you prohibited from seeing your wife in private in your bed-room?—Yes; George Bridle gave orders to the constable to allow no man's wife to go up stairs.

What was the practice for men and their wives, as to having connexion together?—I have seen many men and their wives together in the necessary; I have had connexion with my wife in the conversation-room.

What room did you sleep in?—I have slept in the rookery, I call it the tallet (loft), and in the constables room.

Why do you call it the tallet?—Because one window has no glass, and only lap-shutters, that are old and mended, and open a good deal.

When the wind sets that way does the weather come in?—Yes, the rain does, it runs down in pailfulls sometimes; I have seen snow beat in half-way up the room, when I have awoke in the morning.

What time of the day were your bed-rooms locked up?—Ten o'clock.

Did you leave the window open in the morning?—My bed was against the window, and when there came a rough storm the rain came in upon the bed.

In case of a storm coming were you allowed to go up to shut the window?—O no, without applying. I knew a man who wanted to go up for his dirty linen to give to his wife, and George Bridle refused to let him him go up for it.

Could a man write in the sitting-room, without the other debtors seeing what he was about?—No; and it was very dark; I have had a candle in the day to write a letter.

Were you allowed to go into your bed-room to write a letter or do any business in private, upon applying?—No.

Did you pay the constable any thing for keeping your rooms clean?—Two pence a week.

How long have you known the bed-rooms without being washed?—It was not washed from the time of my going into the lower ward, the Friday before Christmas, until a day or two before the magistrates began their investigation. The room had not been washed some time before I went in it; the day-room was washed once a week.

How

N. Collard.
(8 June.)

How many slept in that room?—At one time I think there were thirteen.

Was your bed-room very dirty in consequence of not being washed?—Yes, and the stairs as well; you could not see what colour they were.

How often did Mr. Bridle inspect your bed-rooms?—I never saw him inspect them.

Were the rooms very close in consequence of so many persons being in them?—Yes, they were very close; we kept the windows open all night when we could; we could not bear to go in them on a morning if we left them a little time.

In what state have you seen the conversation-room in winter?—Very wet and damp, that you could not sit down on the seats; I have seen the wet run down the walls on the seats, and standing in puddles; my daughter has been obliged to stand to eat her victuals, she could not sit down for the wet.

Has this room been approved or complained of by the debtors?—Constantly complained of by them, on account of colds they caught there.

Have you ever known any one take cold there?—I have heard many say they were quite in a chill when they went up there, and they continually complained of cold; I have caught cold there different times; I had a large top coat on purpose to go up in.

Could a person that was accustomed to a comfortable house with a carpet, go in there without catching cold in winter?—I should think not the strongest person that is.

Was your allowance ever stopped?—Yes, my bread three weeks, without going before a magistrate.

What was that for?—Respecting a bag and a glass bottle in it that were thrown over the wall, and I picked them up and took them into the cook-house, and showed them to the men.

Was it thrown over from the town, or from another ward?—I believe from where the women's ward was.

Was any thing in the bottle?—No, nothing at all; the governor sent Mr. Pike and desired I would send up the bottle and bag I picked up; I carried them up; he asked whether they were thrown to me? I said no, I knew nothing of it: next morning when the bread was served out, Mr. Pike said he had orders to stop my allowance.

Was any inquiry made of the other prisoners about it?—No.

Did Mr. Bridle ever treat you harshly in other respects?—Yes; me and one Cafe, another shoemaker, worked in a meat-house in the yard, and he was discharged; and Mr. Bridle came down soon after, and asked whose things they were? I said they were mine. He said he should not allow me to work there, and ordered me to take them out immediately. I began to pack the things up as fast as I could, to take them away. Mr. Bridle went to the cook-house and back again; and because the things were not all taken out, he called the constable and desired him to throw them into the yard immediately, and they were thrown into the yard: after that I worked in the yard. Some time after that Mr. Bridle came into the ward and looked round; my wife overnight was in a hurry to go out, when she was called, (they were obliged to go out immediately,) and she had a clean cap and frill, and she stuck it by a pin against the parchment rules that are hung up in the ward. Mr. Bridle saw them there, and asked whose they were? I said they were my wife's; and he said it was intruding upon the rules of the ward, and she ought not to take that liberty. Mr. Bridle talked to me very harsh about it. I said I hoped it had not injured the rules; that I did not know that they were any rules. Mr. Bridle asked me why; and I stated that these rules stated that we were to have a quart of beer a day when any friends came. I stated that the rules had been shown to Mr. Newman and another visiting magistrate, and they asked Mr. Hobbs why it was not allowed, and he told them that it had been altered at such a quarter session. The magistrates then said, why do you keep them there if they are not acted up to? why are they not taken out and others put there that are acted on? and ordered that to be done. Mr. Bridle said it was a lie, and a damned lie, and he'd get the rules altered for me; and a short time afterwards my bread was suspended.

Who put your bread on again?—I applied to Dr. Colston when he came in, (about Taunton assize time,) and he said he could not do any thing in it without seeing the governor. After about a week I was taken before Dr. Colston and Mr. Thring, and told them I had not a morsel of bread but what my fellow-prisoners had given me. Mr. Bridle said, if I was so distressed, why did not I apply to him? The order by Mr. Pike was, that my bread was to be stopped till the visiting magistrates came.

Did Mr. Bridle say any thing about your trade?—Dr. Colston asked Mr. Bridle whether he thought I could do without my bread? Mr. Bridle told him I had a very good trade and a great deal of work, and he supposed I had forty pair of shoes hanging up at the time, and he must leave it to them. I said I had not any; and Mr. Bridle's answer was, that if I had not, he dared say I and old Hill had together. I had none for sale; I think Hill had a few pair of list shoes; I had only one pair hanging up that I made for myself.

Did you consider that Mr. Bridle said this to prevent your bread being restored?—Yes.

Did you ever know the poor-box opened and the money divided?—No, not till the magistrates were here at the last investigation.

N. Collard.
(8 June.)

Was there any key ever in your ward?—No, not till lately, that two have been given to Mr. Hill, two to the clerk of the peace, and two to the sheriff; the high sheriff told me so himself.

Cross-examined by Mr. White.—What was your occupation immediately before you came into the gaol?—An auctioneer and horse-dealer; and I kept an inn a good many years.

In those occupations you took considerable exercise?—I did.

And were but slightly affected by the gravel?—I was but slightly affected by it.

When you came here and took less exercise you found it increase upon you?—Yes, I found myself much worse; I never applied to any medical man before.

How long were you here before you applied to the doctor?—It might be two or three months; I was ill a long time before I did complain.

If your wife had been allowed to bring in water might she not have abused the privilege by bringing in something else?—She might, but never did; I desired her not. She wished to bring me some gin, but I would not allow her.

Other wives might not have been so cautious and prudent?—I can't say.

If the privilege had been allowed to you it would have been claimed by others?—Yes; Mr. Pike told me so.

Mr. Pike told you there was a pump for soft water in the gaol?—Not then; but after I reported it to the magistrates, Mr. Pike was brought to the window, and he stated to the magistrates that there was a fresh water pump in the gaol, where I was welcome to have water from, and I might have my pitcher filled.

On what occasion was the water foul?—I should suppose when there was a flood: it was the colour of tan sometimes.

When you found the water in that foul state, did you apply to have it changed?—I did not: I thought it was useless, as there was but one pump; when the water was foul in the river, it was so in the pitcher.

Were you ever denied to have beer in your ward without an order from the doctor?—I never applied. Many people, who came to me in the conversation-room, have offered to send beer, but I have desired them not, because I should not be allowed to have it until the doctor came, and then it would be spoiled.

Then the reason you had none was, because you refused to have any?—I refused to have it in that manner.

That was the reason you had none?—Yes.

Has your wife tried to come in a second time after her morning visit, and been refused?—Yes, she has.

Might not your wife and daughter have gone together to the conversation-room?—Yes, if they had gone there before my wife came into the ward.

Supposing they had gone there at nine o'clock, how long might they have staid with you in the conversation-room?—Till ten.

What must have been done then to conform to the rules?—My child must have gone out, and my wife might have staid there with me till four o'clock; or she might have gone out with the child, or she might have gone with me to the ward.

When might you have seen your daughter again, supposing your wife and you to remain in the conversation-room?—From twelve till one.

After going out then, at what other time might she have returned?—At three, and stay till four.

The result then is, that your wife and you could have been together seven hours in the day, and your daughter could have been with you three of them?—Yes, but not alone.

You were not served with any habeas, the sheriff was commanded to take you to the assizes?—Mr. Hobbs told me I was to go the next morning at four o'clock.

You were taken in Mr. Bridle's gig?—I believe it was; Charles Marshall went with me.

Were you obliged to lay out any money for your subsistence on the road?—I don't know; I paid for what we had on the road.

You must have done that if you had been in the gaol?—I had some drink on the road that I should not have had in the gaol.

But if you had, you must have paid for it?—Of course.

So that you were not worse off out of the gaol than you were in it?—I considered myself better.

You never had any conversation with Mr. Pinchard as to what was allowed you?—No, I had not.

And you had no means of knowing what was allowed except from what your wife told you, and from the letter that Mr. Bridle showed you?—Yes; I desired my foreman to go to him, and he informed him the same.

To whom did Mr. Pinchard write, to you or Mr. Bridle?—To Mr. Bridle.

How

N. Collard.
(8 June.)

How long was that after the assizes?—I was shown the letter some time in September.

And you had not seen the letter before?—No; nor had Mr. Bridle spoken to me about it.

But he offered to pay you the guinea before?—He did, when I told him about the 3*l.* 11*s.*; but afterwards he refused to pay me till I got a letter from Mr. Pinchard.

Did you take any pains to get a letter from Mr. Pinchard?—I did not.

Why?—I desired my foreman to call and ask him again; and he told me he had, and had had the same answer from Mr. Pinchard; he said he spoke to him in the town, but he had no letter.

What did your foreman say Mr. Pinchard told him?—That he had paid Mr. Bridle 3*l.* 11*s.*

What besides?—I don't recollect any thing else.

What did he tell you the 3*l.* 11*s.* was for?—For my expenses; that he had paid Mr. Bridle 3*l.* 11*s.* for me for my expenses.

You read the letter?—Yes; I looked over it; but I cannot read scrawl writing; I could not read it all.

But you have been an auctioneer, a horse-dealer, an innkeeper, and a cordwainer?—Yes.

But you cannot read that writing?—No, I could not. I know several auctioneers that are no scholars, and can't read any writing; but I can if it is plain.

Does Mr. Pinchard write a bad hand?—I don't know; but I could not read it all.

Did you apply to Mr. Bridle to read what you could not?—Yes, and he read it to me.

Can you state the purport of the letter?—I cannot exactly.

Should you know the letter again if you were to see it?—I don't know, but I think I should.

Do you think that that is the letter?—[*A letter shown to the witness.*]—I think it is; I have no doubt it may be; I don't know whether it is or not; I know there was 3*l.* 11*s.* mentioned in that as well as this.

Have you the slightest reason on earth to say it is not the letter?—I have no reason to say that it is or is not; I made no mark upon it.

Examined by the Commissioners.—Looking at that paper, have you any reason to think, from the appearance of it, that it is the same letter?—I don't dispute it may be the letter, but I can't say it is.

Look at the letter once more, and state upon your oath whether you think it is the same letter or not?—I have no reason to think but it is the letter.

Does it contain the substance of the letter?—Yes, it does.

Did Mr. Bridle read to you then about the guinea?—Yes he did.

[*Letter put in, but to be proved as to hand-writing.*]

Cross-examination by Mr. White, resumed.—You have the knife in your pocket, you say?—Yes.—[*Produces a clasp-knife.*]

Did you ever ask for the key of the stair-case door to go up in the day-time?—No; but other people have.

Were they denied it?—They have been denied it, and they have had it on some certain occasions. Towning was denied it.

You have never asked for it?—I don't recollect that I ever did.

Why was Towning refused?—I don't know. His wife was there, and he wanted to go up for his dirty linen, but George Bridle refused to let him.

What was the reason for not asking for the key to go up and shut the window when the rain was driving in?—That was left to the constable.

You say Mr. Bridle never inspected the bed-rooms, but you were never in them in the day-time?—I said I never saw him.

You stated on a former occasion that you were more comfortable in your cell than in your ward; do you say so now?—I do; when the ward was so crowded with people.

I believe you expressed your sorrow at being removed back?—I don't know but I did; I often told the turnkeys I would rather be there than in the other ward.

After being there about six weeks, you told the magistrates you had no complaint to make?—I did.

While you were at Taunton as a witness, it was by your own choice that you were placed in the gaol?—I was placed there; I had not my choice where to go.

The caravan you were brought back on has springs like a coach?—I believe it has.

I believe at the time you were at the assizes you were a prisoner in execution?—I believe I was.

N. Collard.

(8 June.)

Who guards the staircase door during the hour between the time that your wives are admitted and that the door is locked?—The constable.

The door is kept open till ten o'clock, and you have access to your rooms till then?—Yes.

What is the duty of the constable for the two pence a-week that you pay him?—To sweep the rooms, and to keep them, and the stairs, and pantry, and scullery, and court clean.

Did he not hire a man to assist him?—There was at the latter part of the time a man to look after the fire.

Was that the cook?—Yes; he was called the cook.

The place from whence your leather was thrown was the pantry?—It was called the meat-house.

While you were there could the debtors have the proper use of it?—They never complained to me about it.

Was that a proper place for you to work in as a shoemaker?—No.

Did not you work in the kitchen afterwards?—No; I worked in the yard while the ward was so full; but after some of them went out, I worked in the kitchen.

Did you not, at the time your allowance was stopped, offer to pay your creditor ten shillings in the pound?—No; I offered him 50 *l.* by instalments of 1 *l.* a week, out of 150 *l.*; I was put in for 97 *l.* 6 *s.* but he told me he had other demands to make up 150 *l.*

Your business was carried on while you were in gaol?—No.

You spoke of your foreman?—Yes; a foreman that I had before I came into gaol.

Re-examined by Mr. Hunt.—You worked a little in the gaol as a shoemaker?—Yes, to subsist on, when I could get any thing to do.

While Cafe and you were in the gaol you were both allowed to work in the meat-house?—Yes.

When there was only one it was found very inconvenient, and your things tumbled into the yard?—Yes, a few days afterwards.

Did Mr. Bridle know that Cafe worked there with you?—Yes, he saw us work there without taking any notice of us.

Was your wife ever searched and handled at the lodge?—Yes, always; and when Mrs. Pike was not there, Pike did it.

Did your wife ever complain to you of it?—Yes; she was at first allowed to bring in vinegar, but they tasted it; and afterwards she was obliged to leave it at the lodge, and it was sent down afterwards. They always tasted milk and cream.

Where was your daughter when she was sent out of the gaol?—She was obliged to leave school at twelve instead of one o'clock, and at three instead of five. In the morning, school began at nine, but she could not go in till ten.

From one till two she could not be in school?—No.

You and your wife could be in the conversation-room from nine till five, what would have been your situation there that time in winter?—It was impossible to stay there then. I never staid above five minutes at a time there myself in severe weather.

Had you ever an opportunity of seeing your daughter in a room where there was a fire?—No.

Did Mr. Bridle go with you to Taunton?—No.

Did any sheriff's officer go with you?—No; Charles Marshall, the turnkey, went with me; he is an assistant turnkey and messenger.

You did not go into a cell at Taunton by choice?—No, I was ordered where to go; the gaoler told me he was sorry I could not be accommodated better, but he hoped I would make myself as comfortable as I could.

Is that letter an answer to any application made by you to Mr. Pinchard, or to one by Mr. Bridle?—Mr. Bridle's application.

You don't know what that was?—No.

Did Mr. Bridle read to you or show you the letter he wrote to Mr. Pinchard?—No, nor tell me; I did not know he had wrote to Mr. Pinchard.

Did you understand, when Mr. Bridle showed you the letter, that he had written to Mr. Pinchard?—Yes.

After all that has taken place, and after all you have heard, do you consider that you have been defrauded out of the money or not?—I do consider that I have been defrauded of it.

Were you ever able to go into your bed-rooms with your wives unless by stealth?—No.

Must not Mr. Bridle have gone through your ward to your bed-rooms?—No, there is another door he could have gone in by.

But if he had gone there between Christmas and a month ago he must have seen them very dirty?—Yes.

Although

Although you were in solitary confinement, even that was more comfortable than being in the lower debtors ward?—Yes, I preferred being there during the few days. *N. Collard.* (8 June.)

Examined by the Commissioners.—Between the time that you left off the use of snow and rain water and took to the river water, did you feel any return of your gravelly complaint?—Yes, I did; I was then convinced it was caused by the water.

During the time you were in solitary confinement, were your wife and child admitted to see you?—My wife was during the usual time. I wrote the governor a note about Christmas, to ask for my child to come to the ward to me and my wife, during the severe weather; the answer was, that I was to go back to the other ward.

While you were in solitary confinement, were you permitted to see your child in the conversation-room?—Yes.

While in Taunton gaol who paid for your subsistence?—I paid myself, except what was brought by my friends.

When you went to see your child in the conversation-room while you were in solitary confinement, where was your wife the while?—In the cell, unless she went to town, and then she was not allowed to come again to the ward.

[Adjourned at 1 ¾ P. M. until 2 ¾ P. M.

The Commissioners re-assembled at that time.

Charles Luido called in; and Sworn.

You are a debtor in this prison?—Yes. *C. Luido.*

How long have you been so?—Sixteen weeks next Monday.

In the upper debtors ward the whole time?—Yes.

Examined by Mr. Hunt.—How many have there been in your ward at any one time since you have been there?—Thirty-two or thirty-three; I cannot exactly say.

With that number in your sitting-room, have you found it oppressive?—I have found it particularly sometimes; I have laboured under an ill state of health for three or four years.

What bed-room do you sleep in?—One on the second story; it is reckoned the best; it is the largest on that story.

How many bedsteads are there in that room?—Eleven; ten of them are now occupied.

What time in the evening have you been locked up the earliest in winter?—Half-past five.

And what time then was the door opened?—Between seven and eight, I should suppose.

At that time in your ward have you any means of access to the privy?—No; but must resort to the night-stool that is in the bed-room.

Have you not considered that injurious to your health?—Naturally, it must be so at this time of year. I wish to remark, that when I first came the night-stool was in a state of putrefaction, from not having been emptied; it was emptied at the request of myself and others.

Had Mr. Bridle no constable there at the time?—There was one, I don't know who he was appointed by; his name was Jenkins.

Are not the debtors obliged to pay him so much a week for keeping the place clean?—Yes, three pence a week, which is enforced every Monday morning.

Have you never poor debtors come in who are unable to pay that?—Yes; there is one there now, who is, I believe, four weeks in arrear; I believe he is totally unable to pay it.

Debtors are always put in that ward first?—Yes, of every description.

Have you not known debtors come in who have had nothing to subsist on?—Yes, I have known them without a farthing in their pockets; last week we were obliged to raise a subscription for one, or he must have starved.

Until they get a certificate they live by charity?—Yes.

As there is no county allowance, is it usual to apply to Mr. Bridle for his charity upon those occasions; did you ever know him to send a loaf of bread to them?—Not to my recollection.

Were you ever given to understand that there was a poor debtors box, and that he had considerable sums in his hands for that purpose; were you ever informed so by him or his officers?—No, I never was.

Since you have been there, has any money been distributed among you as coming from the poor-box?—No.

Are you allowed to purchase any thing you please in reason?—What is brought to the window; we are not allowed to purchase spirituous liquors, nor more than two pints of beer or cyder per day.

Are things brought there in sufficient quantities?—Of meat there is, but vegetables have been very scarce for the last three or four weeks.

C. Luido.

(8 June.)

Have you been prohibited milk in the evening as well as the morning?—There has been no milk brought in in the evening till within the last ten days or fortnight.

Since that, do the debtors purchase milk in the evening?—Yes; and many of them have it for supper, which they could not before.

You say two pints of beer, is that at two different periods?—No, at the same time, between eleven and twelve in the morning.

If there are any who choose to have beer for supper, they must have it brought in in the morning?—They must appropriate part of the two pints, as none is allowed to be brought in after that.

Do you know of any law that prohibits their having any thing but spirits?—No.

Have you good water in your ward?—No, it is extremely bad, and I am convinced has tended to increase the inward complaint under which I at present labour.

Do you mean it is bad in its nature, or that it is offensive?—It is extremely offensive, particularly in the morning, when, I may almost say, it smells more like human excrement than any thing else; it caused an eruption round my mouth during the first fortnight, as it did to many others.

Is that generally considered among you as being caused by the water?—Yes; several told me I should experience that effect, when I first came in.

Do you conceive that your complaint in the chest has been increased in consequence of the closeness of the rooms?—Yes; particularly from so many sleeping in the same room, labouring, as I do, under debility.

Are parcels sent by your friends, allowed to come to you freely?—No; they are brought to the window and examined by the turnkey, however small they may be.

Do you mean officiously examined?—Yes.

Give an instance?—I have lately been in the habit of taking a patent medicine, "Tower's tonic pills," which are the only things that have proved efficacious to me in my disease; I was obliged to send to Bath for them; a parcel came on Monday containing some wearing apparel, and amongst them a very small box with a label upon it, stating what they were; having been without them several days, and feeling worse in consequence, I was glad when they did come, and on opening the parcel there were two or three articles of wearing apparel with the box of pills; the wearing apparel was given to me and the pills were taken away by the turnkey, and were not given to me until Thursday, which caused a more protracted illness than would otherwise have been the case.

You had been out of them several days?—Yes; a week, and I suffered much from the want of them; I am unable to digest my food without them.

Do you know an instance of mal-administration of medicines since you have been here?—Yes; Mr. Woolmer was extremely ill owing to complaints that he laboured under, costiveness in particular; on application to Mr. Bryer, the surgeon, for a purgative medicine, some pills were given him, and on the following morning he was in a complete state of salivation, the saliva was pouring from his mouth; I witnessed it; he was sleeping next to me; on stating this to the surgeon, he was told by him, that he might either have them or salts, which was all the surgery afforded for him; he was then obligated to remain without medicine to the present period, and has none now.

Have your letters free access to you, and can you send out letters freely?—No letters can go out without the turnkey's name being written upon them.

Do you approve or disapprove of that?—I very much disapprove of it.

Is there any written or printed rule to that effect?—None that I know of.

Do you comprehend any object in that regulation other than wanton insult?—I can comprehend no object whatever.

Part of your yard has a garden in it?—Yes.

Do you consider that a great encroachment?—Yes, a very great one, as it deprives us of both exercise and amusement. I was taken very much to task once by the turnkey for presuming to set my foot on it.

Do you consider it a still greater grievance on account of the side on which it is placed?—Yes; it prevents the debtors from using a ball on that side: on the other side it would go over into the street; a ball has in my presence been taken away by a turnkey from a debtor for presuming to play with it: we have been prohibited from playing with a ball until within these few days.

Is that garden on the sunny side of the yard?—Yes.

Is there any known rule written or printed to prevent playing at ball?—No; merely an arbitrary dictation of the gaoler; apparently so.

Are the debtors in your ward allowed to see their wives in their bed-rooms?—No; the men have not been allowed to go up themselves till lately; the key was withheld from them till of late.

Where can married men see their wives?—Only in the kitchen or in the yard.

Is

C. Luido.
(8 June.)

Is it understood in the ward where the debtors have had connexion with their wives?—I have heard in the necessary.

They can have that connexion only by stealth?—No.

Where do the debtors wives sit with their husbands?—In the general kitchen.

Is that a proper place for a decent respectable woman to be in?—By no means.

Men can see their wives and friends in the conversation-room?—Yes, in particular hours.

Have you ever your friends there?—Yes, acquaintances have called me there. I wish to remark, that I have been called there when the time men have been attending the surgeon; the number of them have been so great as to prevent ingress to the conversation-room, the surgery being close to it.

When you are there, is it a proper place to transact private business in?—By no means.

Is it the only place where the debtors in both wards can see their friends?—Yes, the only place where they can see them, their wives excepted.

Is Mr. Bridle in the habit of going to inspect your ward often?—Since I have been there, I think, Mr. Bridle has been into the ward three times, or it may be four.

Did he then inspect your bed-rooms?—No, nor since I have been there.

Is there any place for sick debtors to be placed in?—I understand a small room on the same story that I sleep on is the place appropriated for that purpose. A young man named Dark went out some time ago, who had been confined to his bed the greatest part of the day in that small room, where two others were beside himself. In the course of the night he had occasion to use the close-stool four or five times, which proved seriously injurious to the persons who slept in the same room. One of them, who is a purser in the navy, Thomas West, said, he was extremely ill from it. Two or three days after, West requested the doctor, in my presence, to have the room fumigated, the smell of it being very offensive.

Was that done?—I can't say.

This room is not kept exclusively for the sick?—No.

Have you been able to procure other water?—Yes, lately I have sent regularly for it.

Have you ever visited any gaols in foreign countries?—Yes, in New York and Philadelphia, and at Charleston, South Carolina.

Are persons imprisoned for debt there?—Yes.

Are there any such prohibitions in any of those gaols as are in this gaol?—No.

Were you ever prohibited from visiting persons in those gaols in the day time?—No; there is free egress to their respective wards.

Have you ever known Shepherd out of the ward during divine service?—Yes, twice.

Examined by the Commissioners.—Is the scarcity of vegetables to be ascribed to any of the gaol regulations?—Not that I know. Yesterday and to-day we have had them brought in again in proper quantities.

What is your dinner hour?—Sometimes twelve and sometimes one, or between those hours.

Is that hour fixed by the debtors?—Yes; it depends on their own choice completely.

Did the turnkey assign any reason for detaining the pills?—Yes; he said I could not have them until he had shown them to the surgeon. They were given to me afterwards by the turnkey unopened, and the wrapper had not been unfastened.

Joseph Smith called in; and Sworn.

J. Smith.

You are a debtor in this gaol?—Yes.

In what ward?—The upper ward.

Have you been there the whole time you have been here?—Yes.

How long have you been confined?—Nineteen weeks to-day.

Do you hold any situation in the ward?—Yes; I have acted as cook seven weeks.

Are you chosen as cook by the debtors?—Yes.

Do you provide dinners for any of the debtors?—Yes, for seven of them, who pay me sixpence each for their dinners.

Are you well supplied with meat and vegetables?—Not with vegetables; they are very expensive.

Do you know whether proper means have been taken to get persons to bring in vegetables?—That I don't know; I have spoken to several gardeners when they came.

Have you any reason to believe that they are incommoded in coming to you?—I have never heard of that.

In what way are you supplied with coals?—As soon as a debtor comes in, he is called upon by Edward Shepherd for 4 *s.* 6 *d.* Shepherd keeps a book, and asks the debtor his name, and where he comes from, and his age; he furnishes the coal out of that; and afterwards

J. Smith.

(8 June.)

wards we subscribe 1 *s.* each, when the fund is expended, which has happened but once since I have been in.

Is it by your consent and desire that Shepherd does that?—It was so before I came, but it is not with my consent, because I always thought we could buy them cheaper.

Are you ever consulted as to who your money shall be laid out with?—No; except a month ago, Shepherd told us there was a load of coals at the gate offered at fifteen pence per cwt. and asked if we were willing to have it at that price, and that is the only instance of our being consulted about it.

I believe you can buy coals cheaper?—I have heard so.

What reason have you for consenting to this man's receiving and laying out your money without consulting you on the subject?—It was so before I came into the gaol. I offered to speak to the governor to buy us a load of coals, if some of the other debtors would stand at my back; but they were not willing to do it, and therefore I never said anything to him.

You considered it then an imposition, this man laying out your money without consulting you?—Yes.

Is Mr. Shepherd Mr. Bridle's clerk?—I believe so; he is almost always out of our ward; I have heard Mr. Thompson say he has 40 *l.* a year allowed him for being clerk.

Has it ever been officially communicated to you that Shepherd is Mr. Bridle's clerk, and that he should write letters, and do other business for the debtors in that character?—No; he writes for almost all the debtors, particularly making schedules for them.

Does he do that gratuitously?—No, he is paid for all he does by Mr. Raines. I have heard that Raines allows Shepherd a pound note for every schedule he makes out; he writes for some of the prisoners for nothing; he has never done any writing for me.

Is Mr. Shepherd generally applied to to advise with the debtors as Mr. Bridle's clerk?—When debtors come in they are introduced to Mr. Shepherd as the clerk.

Were you introduced to Mr. Shepherd?—I was.

In what way?—I was informed that Mr. Shepherd would advise me, so as that I should get out in six weeks; I spoke to him, and he told me I should be out some time in April, and he sent for Mr. Raines, and I petitioned.

You stated your circumstances to them?—No, I can't say I did particularly; they did not ask me any questions whatever; I and two others went up to Mr. Raines in the conversation-room, and Mr. Raines asked me to sign three papers, which I did; I believe Shepherd was present; they told me I must make an inventory of my own and my wife's things; I related to Shepherd some difficulties that stood in the way of my taking the benefit of the act, and Shepherd advised me to take no further steps then in the business.

What had you to pay for this?—Mr. Raines charged me 1 *l.* 5 *s.* but I have not paid him yet.

What is Mr. Raines?—An attorney in Ilchester.

Have you ever advised with Shepherd concerning your affairs since?—No.

How have you found the water in your ward?—Very bad; my hands and face broke out since I have been cook, as if I had the itch; in fact, I should have sent for water oftener than I have, only I did not like to give trouble if I could avoid it.

Have you found the water good for cooking?—No; it is hard and brackish. When I first came in my face broke out, as well as since I have been cook.

Do you know where the soft-water pump is situated?—No; I have often said I thought the filth from the privies break into the wells, because in the morning the water smells very bad indeed. I generally pump two or three buckets away before I fill the tea kettle. I have often said I wished the governor was there to smell of it.

Have the officers of the prison known this?—George Bridle knew it; I told him of it several times.

Do you know whether George Bridle had water from your pump?—Yes; I have seen him go to it with a large pitcher for water.

Does Davis have water from there?—Yes; but not regularly.

What bed-room do you sleep in?—The middle one; we find it very unhealthy now the weather gets warmer.

Is Mr. Shepherd ever out of your ward in chapel-hours?—He has been out in chapel-time.

Did you ever know him go to chapel?—No; if he does, he never sits with us in the gallery.

How does he behave in general?—He is apt to curse and swear more than is becoming him or any man. I recollect his making use of such language to a Mr. Westcoat, that I sent my wife out of the room.

Was it indecent language?—Yes.

You are not allowed to see your wives in your bed-room in private?—Not till lately that the key has been left in the door. I wish to say, that the garden is considered by all the debtors as a great grievance and encroachment.

Cross-

Cross-examined by Mr. White.—Did you ever know debtors apply for a copy of the warrant against them, and a certificate?—No. *J. Smith.*

Did you ever have yours?—No; I asked Mr. Shepherd where it was, and he said, in the Exchequer. (8 June.)

Did you never hear any other apply for it?—No.

John Hare Bussell called in; and Sworn.

Are you a debtor in this prison?—Yes. *J. H. Bussell.*

In what ward?—The upper-ward.

How long have you been here?—Three years the 23d February.

Examined by Mr. Hunt.—Were you ever in the other ward?—Yes.

When were your bread and pence taken from you?—About the 22d July last.

Were you then in the lower-ward, and had the county allowance?—Yes.

How long had you been there?—Between two and three years.

How came they to remove you to the upper ward?—My wife took out a loaf of bread belonging to a sick man unknown to me; it was to be sold to buy half a pound of butter; Mr. Pike stopped her and took the loaf from her. A day or two after, Mr. Bridle came in and asked whether the loaf was mine; I told him I knew nothing about it: Mr. Bridle said I ought to have examined my wife to see what she was carrying out; and Mr. Bridle challenged me with conniving at it: then she was going to say something in her defence, and he told me I was to go over to the gentlemen's ward; I did not go directly, I was so surprised that it made me ill, and I lay abed two or three days, and Mr. Bryer came to see me and gave me some medicine.

If a man is sick in the poor debtors ward and can't eat his bread, what is he to do with it?—I don't know, but sometimes it is given away.

What did the magistrates say about it?—I never heard them say any thing about it, I was not taken before them on that account.

The magistrates allow the bread, and Mr. Bridle took it away without consulting any magistrate?—I was never taken before any magistrate.

How often did Mr. Bridle come to inspect your wards and bed-rooms?—Sometimes it might be once a month or six weeks; I can't say particularly to that.

Did you ever see him go up into your bed-rooms?—I have seen him go up with some gentlemen; magistrates, perhaps.

How often have you seen him go up to look over your beds and bedding to see that they were clean and well aired?—I can't say particularly that ever I saw him do that.

Did you ever see Shepherd at chapel?—Yes, I have seen him there once or twice; I can't say how long ago; I have not seen him there often.

Have you seen him there within the last three years?—I am sure I have seen him there within that time.

Have you heard him swear much in the ward?—Yes, sometimes when he is in a hurry, or that there; or sometimes in common conversation.

Do you understand he is Mr. Bridle's clerk?—Yes.

Is he remarkable for swearing more than any man in the ward?—I can't say.

Is he not in the habit of swearing frequently?—Yes.

Have you heard Mr. Bridle swear?—Yes, I did one time, however.

Is once the only time?—Perhaps it may not; but one time I recollect perfectly, I heard him swear at Collins, a turnkey, who was blamed because he did not put his foot to the end of a ladder and hold it.

What was the reason of your remarking it?—Because Collins was an old man, and I thought it was not right; and I mentioned it to Collins afterwards.

Cross-examined by Mr. White.—You are not permitted to go into your bed-rooms by day after the door is locked?—Not always.

Then when you are not there you can't tell whether Mr. Bridle inspects your beds or not?—No.

Can you undertake to say that Mr. Bridle did not visit your wards more than once a month?—No, I can't say; it might be once a month or once in six weeks; he generally came in about the sessions.

You are permitted to go up into your bed-rooms if you ask?—Yes, if we had left any thing behind; but then the door was locked again.

But you never were denied on any reasonable request?—I have known it denied.

J. H. Bussell.
(8 June.)

You have been constable of the ward?—Yes.

And therefore knew when Mr. Bridle has gone up to inspect your wards?—Yes, while I was constable.

Have you not known Mr. Bridle go up frequently?—No, I have not.

How often upon an average?—I don't know that I ever saw him go up by himself. I have seen him go up with magistrates, but I can't say how often.

Has Mr. Bridle ever done you any act of kindness since you have been in the gaol?—He put me in constable.

Did he procure you the bread and pence without your having obtained the usual certificate? I believe he did.

Having appointed you constable, did you ever apply to him to support you in the office?—Yes, some of the men would not pay me, and I applied to him, and he came up two or three times about it.

Did he ever refuse to assist you?—No, he came up twice. I don't recollect that he ever refused.

Have you constantly attended chapel since you have been here?—Yes, except about three times.

Has Mr. Bridle been in the habit of attending chapel, except when he has been out upon duty?—I don't know whether he has been at home or not; I know that he has not attended chapel for several weeks together, particularly of late.

Re-examined by Mr. Hunt.—How long was you constable?—About three quarters of a year, in the lower ward, and till I was sent to the upper ward.

Who paid you for being constable?—I had a shilling a week and bread and pence from the county, and two pence a week from most of the debtors.

Was there sometimes poor debtors who could not pay you?—Yes, and some that could and would not.

Did you ever know Mr. Bridle give any thing to the debtors?—Yes, a pot of beer a-piece at Christmas.

Did he tell you what it was for?—I think it was when beer was not allowed to the ward.

You considered it as his gift?—We knew no other; we considered it so.

Did you hear that it came from the poor-box?—No.

Simon Cozens called in; and Sworn.

S. Cozens.

You are a debtor in the upper ward?—Yes.

How long have you been in this prison?—Almost half a year.

Have you been in the upper ward the whole time?—Yes.

Examined by Mr. Hunt.—Have you ever noticed people bringing things to your ward for sale; and have you seen the officers take things without paying for them?—Yes; I saw George Bridle take oranges and give to his child, and the people looked as if they thought they were too dear to be taken for nothing. I have seen him take apples, and eat them. I noticed it to Charles Stockham, and he said it was nothing new, and that he had known George Bridle stand and eat apples as long as the basket had been there. I saw one of the turnkeys, Charles Marshall, ask the butcher for a steak, and the man gave it him, seemingly with great reluctance.

If the turnkeys took these things without paying for them, did you consider that you paid in consequence a higher price for your things?—I don't know; I thought it was wrong, and if I was in that office I should not have taken that liberty. About a month ago, on a Sunday, when it rained, my son came from Somerton with a shirt, a few minutes after one o'clock, so that he could not come in. Charles Marshall brought me the things, and a message, saying he would be glad if I would send him something to eat. I asked Marshall to take him down some bread and meat; he said no, he could not, the child must stay till three o'clock. The child went home immediately, and he was very wet going home, it rained very hard indeed.

Cross-examined by Mr. White.—But Marshall brought you the message?—Yes.

Re-examined by Mr. Hunt.—But could not you order him to take the meat to the child?—I did not understand it so; I was sorry the child was obliged to go away without. I did not consider that I had any command over him.

[Adjourned at 7 P.M. until 9 o'clock To-morrow morning.

SATURDAY, 9th JUNE 1821.

The Commissioners re-assembled at 9 A. M.

James West called in; and Sworn.

J. West. (9 June.)

WHERE do you live?—In Ilchester.

Was you a messenger belonging to this gaol?—Yes.

When did you leave that situation?—About four years ago; I was discharged by Mr. Bridle.

Had you been a messenger from the time Mr. Bridle came to the gaol until you were discharged?—Yes.

Examined by Mr. Hunt.—Was any complaint made against you when you were discharged?—No.

What was the cause of your dismissal?—I had been a journey, and when I came home Mr. Bridle told me I was as blue as hell.

What did he mean by that?—I don't know; I asked him how he knew I was; he said, I see you are; that's all the afront I ever gave him.

Were you one of the blue party, Sir William Manners's, in Ilchester?—Yes. I worked for Mr. Bridle, and he always paid me very well.

Was Mr. Bridle at that time supporting the other party, the yellows?—Yes.

What did you understand you were turned away for?—Because I was not of the same party as Mr. Bridle.

Who has been employed in your place since?—Robert Corry.

Is Robert Corry an elector here?—Yes.

Which side is he?—The yellow party.

Cross-examined by Mr. White.—I believe you have been employed by Mr. Bridle since?—No, except I was sent for Mr. White the other day; I don't know whether that was for Mr. Bridle or the commissioners.

Are you a blue now?—God knows.

The Reverend *Richard Thomas Whalley* called in; and Sworn.

Rev. R. T. Whalley.

You are a magistrate for the county of Somerset?—Yes.

I believe you are one of the visiting magistrates of this gaol?—Yes.

How long have you been so?—I believe I have been occasionally a visiting magistrate between seven and eight years.

Examined by Mr. Hunt.—About the contract for bread; here is one signed Robert Kiddle; have the contracts always been for the same quality of bread?—I believe they have.

What sort of bread was it understood should be delivered upon that contract?—The same sort of bread as is usually sold by bakers as standard wheaten.

What do you understand by a fair marketable quality?—Such as is exposed for sale at a baker's shop would be purchased by a customer.

Have you been visiting magistrate since Kiddle's contract?—Yes, ever since Easter sessions.

By what means do the magistrates ascertain that the bread delivered is of the quality specified in the contract?—Unless complaint is made to us, we do not see the bread, without by accident we come into the gaol at the time it is delivered.

Do the magistrates encourage the prisoners, if they find the bread bad, to complain of it?—I am not aware that they do particularly; I encourage them by attending to their complaints, but not in any other way.

Whose duty then do you conceive it to be to see that the bread is good; and if not good to report it to the magistrates?—I imagine the turnkey, if he finds it to be bad, should inform the gaoler, and it is his duty to report it to the magistrates.

Has the gaoler, during this quarter, made any specific report to you of the bad quality of the bread?—I have had two reports, but not in writing; one by a turnkey, and the other by the taskmaster,

Did they report as from themselves or from the gaoler or the prisoners?—The first time I think Pike the turnkey, did not mention the gaoler's name; the taskmaster, I think, spoke of the gaoler as if it came from him, but I am not positive.

Did the turnkey or taskmaster represent to you that the gaoler or prisoners complained of the bread as bad?—That the prisoners had refused it.

Then if the turnkey at the lodge does not examine the bread but leaves it to the prisoners to complain or not; do you conceive in that case that the officers do their duty?—I conceive that two prisoners came to the lodge to receive the bread, and would of course make the complaint if they thought it bad.

In that case it is left to the prisoners to complain, and not the turnkey?—It is left to the prisoners to complain.

The complaints that you have mentioned came from the prisoners?—Yes; and were made to me through the medium of the officers of the gaol.

Have you ever known any prisoners punished for complaining of the bread?—No.

In part of this contract it states, that "in case of complaint the magistrates may," &c. &c. &c. have you ever found bread so bad as to have occasion to resort to that course of proceeding?—No, I think not; I speak of myself only.

Rev. R. T. Whalley. (9 June.)

Then you have never known any complaint that was well founded?—Not so as to justify returning the bread.

Was the bread exhibited to you on those occasions?—Yes, upon both occasions.

Do you know whether that was part of the same bread brought into the gaol?—No; it was exhibited to me as such, and from the loaves being of a peculiar size, I take it for granted it was.

In that case, did you order that the prisoners should receive the bread?—I did.

Do you remember some of the same baker's bread being exhibited to the magistrates in the course of their late enquiry?—I remember your producing some in this room.

Do you recollect the magistrates decision upon that?—I remember that, on comparing it with a loaf of the prison bread, the latter was found to be considerably inferior.

In your opinion, was the bread that was exhibited to you the first time such as would be likely to be pronounced by medical men as of unwholesome quality?—I cannot tell what unwholesome ingredient medical men might detect in the bread, but, independent of that, I should think it was not such as they would say ought not to be eaten.

How far do you reside from Ilchester?—About two miles and a half, by the carriage road.

As you did not come to the gaol to examine the bread, you can't judge whether the complaint was well founded?—I depended upon the report that was brought to me, that the bread produced was of that delivery.

Have you examined any of the men upon the subject?—No; I have not been in the gaol since it occurred.

Have you had any repetition of the complaint?—I had a letter from the gaoler last night, stating that the men had complained of and refused to take the bread.

Did you examine the taskmaster fully respecting the bread?—No; because I conceived, as I had the bread in my hands, I was to judge for myself.

Had you an opportunity of comparing the bread that was sent to you with any other baker's bread?—No, I had not. I bake my own bread. I tasted the bread and eat of it, and both times I had it soaked and boiling water poured on it, the first time in the kitchen, the second time by myself in the parlour, and let it remain till next morning, and then tasted it myself fasting, and the water in which it had stood, and I could find no improper taste in it. I then asked the cook, whether it had plimmed in the way that bread usually did; and she said, it had; and that the only fault she could find in it was, that she thought there was not salt enough in it. I took part of it to the only chemist within my reach; he was not at home; I left it for him to see whether he could detect any thing improper in it; I have not yet received his report. I did that, because the officer informed me that the men complained that the bread had made them ill.

Did the officers agree with you that it was good bread?—I thought the taskmaster seemed to think it was not good, but I did not ask his opinion undoubtedly.

Then, from what you have ascertained, you are prepared to say that the bread shewn to you was of a fair marketable quality?—I think it was not so good as common standard bread sometimes is, certainly not, but I thought it was not sufficiently risen, at the same time not decidedly heavy. I also thought it was not sufficiently kneaded; I think it was as good as the bakers bread that we generally buy when we have occasion to do so.

Do you know the price specified in the contract?—Some were about 12 *s.* a cwt.

Have you calculated how much that is a pound?—No, I have not.

Is the contract taken of those who offer it at the lowest price?—Yes, if they are preferred; they are required to give security for the fulfilment of the contract; it used to be so.

Has the present man given security?—I can't say; I was not present at the time the contract was made.

Do you know enough of the price of flour to say, whether a person can make bread at the contract price without losing money?—I am not competent to answer that question.

But you can take upon yourself to say, that the bread was made of wholesome flour?—It appeared so to me.

Do you remember, upon any occasion, that a contractor has been obliged to take back his bread by the magistrate?—I can't say.

[A loaf shewn witness.]

Is that loaf of similar quality as the loaf that was exhibited to you?—I think it is; it appears to me to be the same. When I first tasted the bread I thought there was an acidity in it, and I said so to the taskmaster; but the next morning I found that the acidity was in my own mouth, and not in the bread.

[Magistrates Journal, December 7th, 1820.
Entry signed *R. T. Whalley.* *John Quantock.*]

Is that your hand-writing?—Yes.

Mr. *Hunt* Sworn.

Mr. Hunt.

On or about the 7th December, did you make a complaint to the visiting magistrates to the purport of the entry now exhibited?—No; I made a complaint of the former part of that entry, with regard to my daughter's servant being prevented from bringing my daughter's child with her when she came to visit me. I mentioned the circumstance, also, that Pike had brought persons round the gaol at the time that I was walking in the factory ward between the hours of one and two, and that he had actually brought strangers into my room, and some of those females, at a time when females of my own family were excluded. I stated to the magistrates, that I thought they ought to know the fact; but I distinctly stated, that I made no complaint of the sort; that I knew Pike had taken money from persons

that

Mr. Hunt.
(9 June.)

that he had shewn round the gaol at that time; nor did I ever know that any inquiry had taken place, till I saw this entry in the Magistrates Journal about a month since. If I had had an opportunity, I could have brought the parties themselves to prove that the fact I stated was true, instead of being perfectly unfounded, as it is here stated. I believe Mr. Kinnear was present when the magistrates visited me, and heard the complaint that I did make. I perfectly recollect that I wished it to be understood, that I made no complaint for bringing persons round the gaol. I thought it was a very harmless curiosity; and as none of these persons had behaved offensively to me, I did not feel at all annoyed by it.

Do you believe that that transaction was recorded on the same day that your complaint was made?—I dare say it was; at the time I stated to the magistrates my complaint respecting my daughter's servant, I pointed out to the magistrates a young gentleman, who was present; saying, that that gentleman was accidentally present, and saw the whole transaction. I was very much distressed at the time I stated this to the magistrates; and I stated to them, that in consequence of the ill treatment that my daughter had received at the lodge, she was almost in a fainting state almost the whole of the short time she remained with me. I had not the least idea that any investigation was going to be had, or that any was had, until I saw it recorded in this book, a great many months afterwards; I think it a great cruelty and hardship that I should be charged with it behind my back.

Rev. R. T. Whalley.

[Mr. Whalley being informed, that he may explain that entry either now or at a future time, said, "I wish to offer any explanation I have to make now, rather than at a future period. I think, that, in fact, Mr. Hunt has stated my defence for me, by saying, that one of these complaints was not formally brought forward; and that with regard to the other, he had no idea that any investigation would take place. As far as I am concerned as a visiting magistrate, I did not conceive that the charges were brought forward by Mr. Hunt in a formal manner, or that he wished to have any witnesses examined. He certainly mentioned, that there was a young gentleman present who had seen the transaction; but I do not recollect or believe that he proposed him as a witness. We were going round the gaol, and sent in to know if Mr. Hunt wished to say any thing to the visiting magistrates. A message was brought, that he desired we would walk in, and he desired we would sit down. As we saw he was at dinner, we did not sit down, but stood at the door. He said, Gentlemen, I believe I am in the custody of the sheriff; but I suppose you have some control over your own officers, or something of that sort; and then he mentioned those two subjects, but not as if he expected that there should be a formal investigation. Mr. Hunt seemed to speak at the time under the influence of irritated feelings; and what he said respecting the cruelty of Pike's conduct, I really thought proceeded from the influence of those feelings, rather than with any intention of seriously charging him with it; for I recollect Mr. Hunt saying, that Pike assisted in executing the criminals here; and therefore was hard-hearted, and took delight in the sufferings of his fellow-creatures, or something to that effect. We staid a very short time with Mr. Hunt, because we saw he was at dinner, and left him as soon as he had done speaking; but we thought it our duty to make some inquiry into these transactions before we left the gaol. On the whole, I had reason to believe that Pike had not behaved in a brutal way, either towards the mistress or the servant-maid."

Were you at the last Michaelmas Sessions, at Taunton?—No.

[Sessions Order, 16th October 1820, referred to. Magistrates Journal, 28th October 1820. Entry, signed by Mr. Whalley, produced.]

Is that signing your hand-writing?—Certainly.

There are certain rules and orders entered at the beginning of the Magistrates Journal, purporting to be for the guidance of the gaoler and officers of the gaol; are they so intended?—Yes, I should suppose so, unless they have been rescinded or altered, but they were made long before I acted as a magistrate.

[Rule (governor to inspect the gaol daily, &c.) *read.*]

Do you know of that rule having been rescinded?—No.

Therefore you consider that that rule is still in force?—Yes.

[Rule (absence) *read.*]

[Gaol Cash Book, commencing 1808, produced.]

Since you have acted as a visiting magistrate, do you know of any goods manufactured in the gaol?—Yes, I have bought shoes that have been manufactured in the gaol.

Can you point out in the cash-book, where any credit is given for goods sold?—I have very little to do with the accounts, it is a department of the gaol with which I have little or no concern.

What magistrate has been usually employed in the investigation of the accounts?—I believe Mr. Moody.

Did I at the time I made these complaints to you, at the time alluded to, when under irritated feelings, behave in any ungentlemanly way to the visiting magistrates?—No.

Cross-examined by Mr. White.—I believe applications have been made to you as the nearest visiting magistrate, respecting the bread?—Yes.

These complaints have been more numerous lately than formerly?—I never received two complaints so near together before, I think not.

Whenever complaints have been made, they have been immediately attended to?—They have.

Rev. R. T. Whalley. (9 June.)

The two prisoners who examine the bread when it is brought into the gaol, are, I believe, deputed by the others?—I am not sure that that is the case.

You have no doubt that the bread brought to you was part of that delivered at the gaol?—I have not.

With regard to the contract, I believe it is publicly advertised before it is entered into?—Yes, I don't know in how many papers; hand-bills also are published.

Have you been applied to personally by Mr. Bridle on the subject of the complaints of bread?—I think I have.

Did the contractor, when the turnkey waited on you a few days ago, accompany him?—He did.

It was the contractor, I believe, that produced you the bread?—No; on both occasions the bread was brought by the turnkey and taskmaster in a basket, the baker himself being present.

Did not Pike say that the prisoners had refused to take the bread, and that Mr. Bridle had sent him to you to take your instructions on the subject, or to that effect?—I apprehend he did.

According to the terms of the contract, do you conceive the gaoler ought of his own authority to reject or receive the bread?—No, certainly not.

On both the recent occasions you directed the bread to be received?—Yes.

Besides the rules and orders in the Magistrates Journal to which your attention has been recently drawn, there are many others for the guidance of the gaoler?—Yes, there are others entered in the journal from time to time for that purpose.

Are they not selected from time to time, and hung up in different parts of the gaol?—I believe it is sometimes done, but I have no knowledge upon the subject.

When orders are made at the quarter sessions, are they not transcribed and hung up in the gaol?—They may be sometimes, but I really cannot answer the question.

I speak of a general set of rules, dated October Sessions, 1810?—That was before I acted as a magistrate. There are some hung up in the gaol, but I do not know when they were made.

During the time that you have acted as a visiting magistrate, have you had reason to be satisfied or dissatisfied with the conduct of Mr. Bridle?—On some occasions I have had reason to be dissatisfied with Mr. Bridle's conduct, and have expressed that dissatisfaction to other magistrates, but in general I considered him an able and efficient officer.

When you have pointed out to him things of that sort, have your observations been generally attended to?—I have generally expressed my opinion to a body of magistrates.

Then possibly you may not have complained to Mr. Bridle personally?—I believe that what I have stated has been frequently in Mr. Bridle's presence, I don't mean that I have made any formal charges.

Re-examined by Mr. Hunt.—Did you examine the baker when he came with the taskmaster?—Yes, I put questions to him certainly; I asked where he bought his flour, and where he got his balm, and questions of that sort.

You have not yet had an opportunity of examining the prisoners to know what their complaints were?—No.

Did you send your message back verbal or written?—The first was a verbal message, the second was in writing by desire of the taskmaster.

Was it written with the intention that it might be shewn to the prisoners for their satisfaction?—It was sent the next morning after I had made the experiment I mentioned, directed to Mr. Bridle, or in his absence, to the taskmaster.

Did you send such a message to the prisoners, as that the bread should be put into them, and wait 'till their stomachs did come?—I certainly sent no such message.

Is the gaoler's salary five hundred pounds a year?—Yes.

Do you not conceive it to be the gaoler's duty to examine and see that every thing is carried on properly in the gaol?—Surely so.

And do you not consider his particular duty to see that the bread is good, and that the contract is fulfilled; and if not, to report to the visiting magistrates?—I conceive that the prisoners are there for the purpose of objecting, if they find the bread of a bad quality, and to report to the gaoler, whose duty it is to inform the magistrates of it.

Do you not, as a magistrate, conceive it to be the gaoler's peculiar duty to see that the prisoners have not bad food imposed upon them?—Certainly.

Should you not, as a magistrate, consider it a great hardship for men to be subject to penal rules without knowing what those rules were?—Certainly.

When you said that generally you approved of Mr. Bridle's conduct since you have been a visiting magistrate, do you mean up to or since a late investigation of the magistrates?—I mean previous to that investigation.

Examined by the Commissioners.—Do you consider, as a visiting magistrate, that Mr. Bridle had any power of withholding the county allowance from poor debtors without the authority of the magistrates?—I conceive that it would be his duty to bring it to the knowledge of the magistrates on the very first occasion after he had taken a step of that kind.

Do you mean, that if the governor had inflicted punishment of any kind upon a prisoner, that the gaoler should bring a circumstance of that kind to the knowledge of the magistrates in the same way?—Certainly.

Do you not conceive that the proper mode of communicating any such occurrence to the observation

observation of the magistrates is by an entry to that effect in the Occurrence Book?—I conceive it to be the duty of the gaoler, or of the person having the command of the gaol, to make an entry of every such transaction in the Occurrence Book, and, I think, also to direct the attention of the magistrates to those entries. *Rev. R. T. Whalley.* (9 June.)

[Adjourned at three-quarters past 1 P. M. until three-quarters past 2 P. M.

The Commissioners re-assembled at that time.

John Newman, Esq. called in; and Sworn.

You are a magistrate of the county of Somerset?—Yes. *J. Newman, Esq.*

Are you a visiting magistrate of this gaol?—Yes.

How long have you been so?—Occasionally for the last eight or ten years.

Examined by Mr. Hunt.—Have you heard any complaints of the bread?—Yes.

Those complaints you have considered not well grounded?—Certainly; I have considered the bread good, according to the best of my judgment.

You have found it agreeable to the contract?—I think so; I think it good bread; I have tried it different ways in water.

Do you know what the contract is per cwt.?—The contract will speak for itself; it is twelve shillings per cwt.

Have you made any calculation what that is per pound, to ascertain whether the baker can make good bread for that or not?—No, I have not.

Did you ever know some bread brought to the gaol that the contractor was obliged to take back?—I recollect bread being shewn to the magistrates, and they thought it not good.

Upon that occasion, did all the magistrates think it bad?—I did not think it bad myself; I did not find any acidity in it, as some of the magistrates thought there was.

In your estimation, if any baker was to offer such bread at Yeovil, or any other town, with other loaves, do you think he would find a purchaser?—I think he would.

Perhaps you have not had the opinion of a baker about it?—No, I have not.

Did you ever know, on any occasion, that the magistrates sent back the bread when it was complained of?—No.

Has it never struck you that no baker can, for twelve shillings a cwt. make good bread?—No.

Do you recollect any goods sold that had been manufactured in the gaol?—Yes, shoes.

Has there not been considerable quantities of things, carpets, rugs, &c. manufactured?—I don't know.

Can you refer to any book where credit is given to the county for goods sold?—No. On the Thursday previous to each quarter sessions, the accounts are examined by the magistrates, and afterwards are taken to the session by the gaoler.

[Two loaves of bread produced.]

Do you think that, if those loaves were put together, the one would be purchased as readily as the other?—There is a difference between them; one is whiter than the other; that is new, and the other is stale.

If you were to go into a shop, where the two sorts of bread now produced were shewn, which should you buy?—The whitest, certainly; the other seems to me to be two or three days old.

Can you take upon you to say, that that bread is not made with damaged flour?—I can't say; I don't perceive any thing amiss in it myself.

Have you ascertained, by any enquiry that you have made, that the water in this gaol is not good?—Yes; about three or four months ago, I heard so for the first time.

It was never before communicated to you by the gaoler, or any of his officers, that there was bad water in the gaol?—No, I don't recollect that it was.

Was any complaint made to you by a prisoner?—Yes, by a debtor.

Did you give any direction that he should be allowed river water?—Yes; his name was Collard.

Was it such directions that you thought a man's wife might have brought him in water without interruption?—No doubt of it.

Has it since, from any enquiry lately, been ascertained, by evidence upon oath, that the water in the gaol is bad?—Yes.

Have you taken any measures to have that rectified?—No, not yet; it is only about three weeks or a month ago that it was ascertained.

What has prevented the magistrates from taking measures to have the prison supplied with better water?—I have tried the water myself this morning, without finding any thing offensive in it.

Have you heard that a well was opened in my ward, which was found to communicate with the gutter?—I heard so.

Have you by any means ascertained that indelicate scenes take place in the conversation-room?—I heard it so reported during the investigation, but not from any other quarter.

Was that report upon oath?—I don't recollect.

Has any means been lately taken to enable debtors to see their wives in private?—Within this month, an order has been given by the sheriff for debtor's wives to be admitted from nine till seven; before that it was from nine till five.

J. Newman, Esq.
(9 June.)

My question was, whether any measures had been taken to enable debtors to see their wives in private?—I don't know; I am not aware of any.

Has it lately come to your knowledge, that men confined for beastiality have slept with boys?—One instance has, during the investigation.

Has any steps been taken by you and other magistrates to prevent that practice in future?—Yes; an order has been issued to-day.

Has it come to your knowledge, that a man confined for an unnatural offence is allowed to sleep in the same cell with another man?—No; it was never reported to me.

As a visiting magistrate, do you understand that I am prohibited seeing my female friends, except in the conversation room?—Yes.

Is that by your direction, or in consequence of any order?—I believe it was in consequence of an order of Dr. Colston and the two Mr. Thrings, formerly given out by the quarter sessions.

[Order of 13th February produced.]

Is this the order to which you allude?—Yes.

Do you act under that order?—The order was first made at the quarter sessions, and afterwards rescinded by the sheriff; and since that enforced by those three magistrates, with the sanction of the sheriff; I was not in office then.

That order is sanctioned by the sheriff?—I understood so; he has not counter-ordered it, and, therefore, I conceive he has sanctioned it.

This was before any investigation, and you, as a visiting magistrate, have not taken any steps to relieve me from that order?—I don't think myself authorized to do it, and Mr. Hunt has never made any application to me for that purpose.

Then three visiting magistrates had the power of inflicting that punishment upon me, and you think that you have no power of relieving me?—I do, certainly; it is matter of opinion.

Who do you think has the power of relieving me?—The quarter sessions, I conceive.

Have you ascertained the fact, whether any one slept last night in the same cell with Stillman?—No, I have not.

Do you know whether a man named Dredge is confined here for an attempt to commit an unnatural crime?—No, I do not.

You have not, as a visiting magistrate, been informed that such a person is confined here?—No.

John Pickford called in; and Sworn.

J. Pickford.

Where do you live?—In Ilchester.

What business are you?—I am a labourer.

Examined by Mr. Hunt.—Were you a servant of Mr. Bridle's?—Yes; twelvemonths all but one day.

How long have you left his service?—Since Christmas.

Did you live with him in the house?—Yes.

Do you remember being here during the last election?—Yes.

Had you been long with him then?—Yes; I had been with him better than half a year.

Was there any band or dancing in here then?—Yes.

Did Mr. Bridle dance?—Yes.

Who did he dance with?—Susan Masters.

Is Susan Masters a girl of Ilchester?—Yes; she lives in Ilchester, and so does her father and mother.

Do you remember liquor being handed out to the people while they were here?—Yes, by me and Mr. Davis.

Did you give them as much as they liked?—Yes; there was plenty.

Did any of the prisoners see them dancing?—Yes; some of the felons were looking over the wall.

Did any of the other prisoners come up?—Yes; some from the factory

Did you look after Mr. Bridle's horse and gig?—Yes; I and Boone did.

Was he a prisoner?—Yes.

Did Boone ever go out of the gaol to look after the horse and gig?—Yes; Mr. Pike let him out when he liked.

What straw did you use for the horse and pigs?—What came from the beds, when there was plenty, at other times Boone would throw a few armfulls from the tallet.

Had Mr. Bridle any private straw of his own?—No.

Was that county straw in the tallet?—Yes.

Till what time did Mr. Bridle keep you up?—When he was out with the gig, till ten or eleven o'clock; the latest time I knew, was four or five in the morning.

At those times, when he came home so late, was he sober?—He was merry; he was not drunk, so as to fall about, that I ever saw him.

What time did he get up in the morning?—When he had been out late he would not get up till ten or eleven o'clock, and sometimes later.

Did you always sit up for him at night?—Yes.

Did Mr. Bridle ever abuse you?—He used to curse me sometimes.

Have you ever heard him curse and abuse other persons?—Yes.

What expressions did he use?—He damned my eyes when he caught me asleep.

Was any oatmeal ever used in the house to make gruel?—We had grits, that are fetched from Mrs. Hobbs.

Did

J. Pickford.
(9 June.)

Did you ever fetch grits from any where else?—No.

Did she keep the county grits?—Yes.

Did you see any of the prisoners drunk in the house?—Yes.

Do you recollect prisoners employed in making wine?—Yes, Mackett and Large.

Were any female prisoners employed in the house while you were here?—Yes.

Were men and women ever employed here together?—Yes.

Who were they?—Jane Longley; Collins, a man; Hodge, a man; and a man named Trait.

Where did you have candles and soap from, while you were here?—I don't know; they came in a box.

Did a large quantity come at a time?—Yes; several dozens of candles at a time.

Did the soap come in large quantities?—Yes; that that was for the county was always carried into the laundry.

What! did the women take what quantity of soap they liked?—I don't know; or whether Mrs. Hobbs kept it from them.

Did you ever see Mr. Bridle playing cards with Mr. Kinnear in the house?—Yes, in the breakfast room.

Is that since Mr. Kinnear went to the ward where I am?—Yes.

Did you ever know Mr. Bridle fetch him out after he was locked up?—Yes.

Who waited up at the lodge when Mr. Bridle was out?—Sometimes Mr. Pike, and sometimes Mrs. Pike; Mr. Pike always did when Mr. Bridle was out with the gig.

Do you remember Mr. Bridle's coming home from Miss Maynard's wedding?—Yes.

Do you remember what happened?—Yes; Mr. Bridle went to help one of the ladies out, she jumped against him, and he fell backwards, and hurt himself against the wall. I don't know whether he was tipsey or not; he was not tipsey enough to fall about.

Do you remember Mr. Bridle bringing Mrs. Howard to my room?—Yes.

Cross-examined by Mr. White.—What time of the day was it that the band came?—Between eleven and twelve.

How long did they stay?—Not very long.

Were there many prisoners round you when Mr. Bridle cursed you?—No; it was by night; I did not see any.

How often did Mr. Bridle ride out, so as to be out after dark?—Not very often; he walked out almost every night.

How often do you think he rode out during the time you were here?—I can't tell.

Can you undertake to say, that you ever saw Mr. Bridle drunk in your life?—Not to fall about.

How drunk have you seen him?—Merry; as any body else would be that had had a drop to drink.

Then your reason for supposing him drunk was, because he was merry?—It was for supposing he had been drinking.

Did you suppose he was drunk because he was merry?—I did not say he was drunk; I said he was merry; I never saw him fall about like a drunken man.

Did you ever see him drunk in your life?—No, not to fall about; I have seen him merry.

Did you ever see him drunk?—No.

What orders did Mr. Bridle give you about the straw, when you first came into his service?—I had been here a good while before he told me any thing about the straw, and then he said, Jack don't you never have any straw out of the tallet without weighing it; we had thirty-two pounds out, and Mr. Pike weighed it; it was carried down into the hay-field for the calf to lie upon; then Mr. Bridle told me it was not his straw up there, and I was not to have any of it without weighing it; he told me that what came out of the beds belonged to him; when the beds were emptied, Boone and I shook out the best of it, and put it in the stall.

Did you ever take any straw but the thirty-two pounds from the tallet?—I did not; but Boone two or three times, when the straw was short, went up and threw down a few armfuls for the mare to lie upon.

Did you weigh it as your master ordered you?—No.

Why did you not weigh it?—Because Boone said it was no odds weighing it, it was only a couple of armfuls.

Was your master present?—No.

Did you tell him of it?—No.

Why did not you?—I don't know.

Did you tell Boone not to take it?—No.

Did you tell Boone that your master told you that straw did not belong to him?—No; I don't think I did; if I did I don't mind it.

Don't you think, as a faithful honest servant, you ought to have done it?—I suppose I ought to have done it.

Then your master never knew any thing of it?—Not as I know; I never told him of it.

Was not all the straw that was taken from the beds dry straw, and fit for the stable?—some of it was.

Have you not had large quantities of straw that came from the beds in store?—Yes; sometimes we have had the spare stall half full.

What room was your master generally in on an evening?—His counting room, where the papers and books are; without he had any body here.

Re-examined

J. Pickford.
(9 June.)

Re-examined by Mr. Hunt.—Have you ever seen Mr. Bridle tipsey?—I have seen him merry.

Was there any difference in his talking?—Yes; when he was fresh he did not come home cursing me.

Did he often come home without cursing you?—Yes; unless he was tipsey.

Have you ever known him so tipsey as not to be able to curse you?—No.

Did you ever know Mr. Bridle replace the thirty-two pounds of straw?—Not that I know.

Did Mr. Bridle often come into the stable to see what straw you littered with?—No.

William Pitcher called in; and Sworn.

W. Pitcher.

Where do you live?—At Preston, near Yeovil.

Have you been a debtor in this gaol?—Yes.

When were you discharged from hence?—Seven years ago.

How long were you here?—Twenty-two weeks and five days.

Examined by Mr. Hunt.—While you were here was Edward Shepherd here?—Yes.

He was not Mr. Bridle's clerk then?—No; Lake acted as clerk and taskmaster.

You were in the upper ward?—Yes.

Were the restrictions at that time considered very severe?—Yes.

Were the debtors generally dissatisfied with them?—Yes; all of them.

What were the restrictions generally complained of?—Being obliged to have beer from one house, turnkey subscription to letters, and the conversation hours.

Were you not allowed to purchase your beer from any house that you liked?—No; only the house for the quarter; and they used to throw in any stuff, that we sometimes could not drink it.

Had you it ever in contemplation to correct it?—Yes; when Alderman Wood came down, I spoke to him about it, but he said they were not come to correct abuses, but only to look over the prison; Mr. Bridle was, I believe, at Weymouth.

Alderman Wood came into the gaol?—Yes; and Aldermen Birch and Perring, and the Town Clerk, they all came into our ward.

Was Shepherd one of those who were dissatisfied at that time?—Yes; the debtors wrote letters to every gaol in England, Scotland, and Ireland. Shepherd wrote some, and so did I, through Mr. Evil of Bath it was done. Some we got answers from, and some we did not.

Who did you write to at the different gaols?—To the debtors.

What was the object of your writing?—To try to obtain an act of grace, and to know the rules of the different gaols.

Did you get a great number of answers?—Yes, with their rules; but none were so severe upon debtors as here.

Did you visit any gaols in England?—Yes, several. At Gloucester Castle the debtors are allowed a quart of beer a day, and what small beer they choose at any hour; their wives and families are allowed to go into their wards at all seasonable hours, except between one and two, chapel hours, and their friends are permitted to come to the grate where there are boxes for them to sit in during the same time.

Was not Gloucester gaol considered the severest gaol in the kingdom?—Yes, till Lord Sidmouth made an alteration there. They used to open all the prisoners letters there except the debtors.

Have you ever known any prison where debtors are restricted from seeing their friends in the manner they are here?—No.

Will you state the situation of this gaol?—It is situated at the extremity of the county, and within five miles of the county of Dorset.

How far is it from the assize towns?—Eighteen miles from Wells, twenty-four miles from Taunton, and about the same distance from Bridgewater. The situation of it renders it peculiarly inconvenient to debtors.

How far is it from Bath?—Thirty-three or thirty-four miles.

Is it a distance of thirty-four or thirty-five miles from a very considerable part of the county?—I suppose it is.

How far is it from the perpetual under-sherff's office?—Eighteen miles from Wells. I think Mr. Broderip has been under-sheriff twenty years.

Is that distance considered a great hardship to debtors?—Yes; they must either send a special messenger, or wait the return of post.

After you left the prison, did any of the debtors apply to you for any thing?—Yes, for the purpose of presenting a petition to the House of Commons, to try to get some of the orders rescinded.

Do you recollect any of the debtors being particularly urgent upon you to do this?—Yes, Shepherd wrote me several letters.

Had you ever any money extorted from you in any improper way?—No; a supersedeas arrived, and twenty-seven shillings was demanded. In order to pay that, I gave two one-pound notes to Brooks, the turnkey, and he gave me back the change. Before I got the change, Mr. Bridle came to me, and said he was sorry he was obliged to detain me at the suit of my father-in-law for forty pounds. But I have since been informed by my attorney that this was legal.

Had you reason to believe that the detainer was in gaol before or at the time the supersedeas arrived or the money paid?—No.

Had

Had you reason to believe that the supersedeas and the detainer came in the same letter?—Yes. *W. Pitcher.*

Then, if the supersedeas and detainer had been notified to you at the same time, should you have paid the twenty-seven shillings?—No, I should not. (9 June.)

Instead, then, of intimating to you both these circumstances, the turnkey came first, and demanded twenty-seven shillings for the supersedeas; and the gaoler came next, and informed you of the detainer?—Yes.

Do you think this was treating you unfairly?—Yes.

Did you write to a magistrate about it?—Yes, to Mr. Goodford, who inclosed back the letter to Mr. Bridle, saying, that Mr. Bridle knew best what to do.

Did you see an execution while you were here?—Yes, I saw one Pearce hanged.

Was there any rule respecting executions at that time, that you thought extraordinary?—Yes, the female prisoners were drawn up in a line to witness it. Debtors were not compelled to come out to witness it, but the ward doors were thrown open; some of the women fainted away.

Did you understand that the women were compelled to come out?—Yes.

Cross-exanined by Mr. White.—If you employed Mr. Broderip to obtain the supersedeas for you, it was right it should be paid for?—That was what I understood afterwards.

Then, when you understood it, you were satisfied it was not an imposition?—I was satisfied when I understood it; but I should not have paid it if they had both come together. I thought it very hard on a poor debtor.

Then Mr. Broderip would have lost it?—I suppose he would.

The regular fees for a supersedeas were considerably more than twenty-seven shillings?—I do not know; but there was a paper stuck up in the ward, that Mr. Broderip would do it for the money out of pocket.

You know that twenty-seven shillings was no more than he was out of pocket?—I suppose it was not; if I employed Mr. Broderip, it was no more than right that he should be paid.

You have been an attorney's clerk many years, and knew that is the fact, with regard to the fees out of pocket?—Yes, I believe that is the fact.

You have no reason to complain against Mr. Bridle personally, for any severity towards yourself?—No, he never treated me ill; all I have to say is against the rules of the prison.

On the contrary, did he not treat you with great kindness while you were here?—He treated me the same as he did the other debtors; I never saw him use any of them ill where I was; what he did in other parts of the gaol I cannot say.

Have you not said and written so since you have left the gaol;—I wrote to Sir John Acland, to complain of the rules; I said I had no complaint to make against the gaoler or the turnkeys, or against the clerk.

I believe about three pounds ten shillings, or four pounds, are the usual charges for a supersedeas?—I believe it may be what an attorney would charge.

Then this perpetual under-sheriff charged but twenty-seven shillings from pure benevolence to the poor debtors?—Twenty-seven shillings was what was paid; there was a paper put up in the ward, that he would charge no more than the money out of pocket.

And that you considered an act of kindness and benevolence towards the debtors?—Of course I considered that.

[*Identified seven letters in his hand-writing.*]

What induced you to write to Mr. Goodford?—I was informed in the ward, that I was illegally detained.

Examined by the Commissioners.—Do not you know that a detainer is issued for the purpose of detaining a person in custody, not to let him out?—I learnt afterwards that it was all right.

John Whitcombe called in; and Sworn.

You are a prisoner in this gaol?—Yes.

Under sentence for what?—Assault. *J. Whitcombe.*

How long have you been here?—Eleven months since trial.

How long have you to stay?—Thirteen months.

Examined by Mr. Hunt.—Have you any complaints to make of your letters being opened?—Yes.

Are you obliged to send your letters out open?—Yes.

When your friends write to you, how then?—They are broke open.

Where are they broke open?—At the lodge, I suppose.

Have you reason to believe that your letters are read by different persons?—I believe so, because several children were seen reading a letter, and a man in the ward had one brought to him soon after the same day.

Have you had more letters than one broken open?—Yes, about ten.

There was nothing in any of those letters that could lead to a suspicion that you wished to escape?—No.

Which ward are you in?—The time ward.

Is your water there good or bad?—Very bad sometimes; it is as red as can be sometimes.

What trade are you employed in?—To look after the spinning and carding engine.

What wages have you?—Two shillings a week; my wages were rose last week; I receive one shilling and fund one shilling.

J. Whitcombe.
(9 June.)

Are all the letters to people in your ward broke open before they are brought in?—Yes.
Do you know that any of them have been detected in planning to escape?—No.
[Magistrates Journal, 3d May 1815.—Copy of a letter from the clerk of the peace, with copy of letter from Lord Sidmouth to Mr. Cunningham. *Read.*]

John Sims called in; and Sworn.

J. Sims.

Are you a prisoner here?—Yes.
What time are you sentenced for?—Two years for felony.
How long have you been here?—Nine months.
Examined by Mr. Hunt.—Did you ever see persons reading letters in the lodge?—Yes, I saw Mrs. Pike, and Miss Pike, and Master Pike, reading one some where about last Christmas.
Had you any reason to believe it was for a prisoner?—Yes; it was brought by the post woman.
Was any letter brought that morning to a prisoner?—Yes, Marsh had one.
Are all your letters opened before they come to you?—Yes, they are.
Did any one offer you a pair of trowsers for sale?—Yes; William Carter, the constable at the lodge, offered a pair for sale for a pound note.
Was it ascertained that these trowsers were not his own?—Yes.
Whose were they?—Isaac Taylor's, a convict.
Did Taylor accuse anybody of stealing them?—No; he said he lost them in the lodge.
Did Taylor accuse Carter of stealing them after he heard that he offered them to you for a pound note?—He said he should not have had them again if it had not been for me.
Do you know how they came in the lodge?—He sent out all his clothes to send them home by his wife.
Did his wife miss the trowsers?—Yes, as soon as she got home and opened the box; and she came back to the lodge, and Carter said there was no such thing there.
After it was known that Carter had offered these trowsers for sale, did it come to Pike's knowledge?—Yes, Taylor knocked and told him of it.
After Pike was told of it, were the trowsers returned?—Yes; he told the man he knew nothing of it, but would go and enquire; and he brought the trowsers.
Did you tell Pike that Carter had offered the trowsers to you for a one pound note?—Yes.
Notwithstanding this, was Carter continued in his situation of constable?—Yes.
How long after?—I suppose three weeks after.
Was any thing done in it till you came before the magistrates to give evidence of the fact?—No.
During that three weeks had Carter the keys, and could he go to any part of the gaol?—Yes.
Cross-examined by Mr. White.—Did Mr. Bridle know this?—I don't know.

Richard Pike called in; and Sworn.

R. Pike.

Examined by Mr. Hunt.—Are there any prisoners whose letters are opened before they are delivered to them?—Yes.
What prisoners?—The whole of them, except the debtors and yourself.
Who opens them?—I generally open letters for the men, and the matron opens the letters for the females.
If you are not present, who opens them?—The turnkey at the lodge whoever may be there.
Does Mrs. Pike open them sometimes?—Yes; they durst not go into the ward without being opened.
Is there any written or printed rule of the magistrates to authorize your doing that?—I never saw any.
Do you put your name upon any letters, and those of the debtors?—I don't upon the debtors; that is done by the turnkey at the debtors lodge.
There is no rule to that effect, is there?—Yes, I think there is upon the board.
[Twelfth Rule read.]
When it came to your knowledge that Carter had offered a pair of trowsers for sale, did you communicate that to Mr. Bridle?—I did.
Cross-examined by Mr. White.—What answer did Mr. Bridle make when you told him?—He asked whether the man made any complaint; I said he did not, and that he was satisfied as he had his trowsers again. Mr. Bridle, as far as I can recollect, said if the complaint was made to Mr. Hunt, he had nothing to do with it, or words to that effect.
Did he say any thing about his leaving it to Mr. Hunt to manage without his interference?—I think he said something of the sort.
Had Taylor complained of it before you and Mr. Bridle knew of it?—I think he did, or about the time.
To whom did he complain?—To Mr. Hunt, as I understood.
Re-examined by Mr. Hunt.—Did not the woman complain of the loss?—I was not at the lodge; I knew nothing of it till I was sent for to the ward.
But Carter denied it at first, therefore you could have no doubt he stole them?—It looked very bad, he told me they were Wyatt's trowsers.
Did Mr. Bridle know he continued in the office of constable for three weeks afterwards?—Certainly.

[Adjourned at 7 P. M. until 9 A.M. on Monday next.

MONDAY, 11th JUNE, 1821.

The Commissioners assembled at the Gaol, at 9 A.M.

Aaron Moody, Esquire, called in; and Sworn.

A. Moody, Esq. (11 June.)

I BELIEVE you are a magistrate of the county of Somerset?—Yes.

Have you been occasionally a visiting magistrate of this prison?—Very often.

Examined by Mr. Hunt.—Has there been frequently goods sold that have been manufactured in this prison?—Yes, I believe shoes and some woollen goods; but shoes principally.

Have you known whether the shoes have been sold in large quantities?—I should think nothing like wholesale; two or three pairs to a person, or something of that sort.

Then you don't know of large quantities, such as seven or eight hundred pairs, being packed up and sent away in crates?—Certainly not.

If there have been large quantities then packed up and sent off, has it been unknown to the magistrates?—It has to me.

Have you known large quantities of other things sold?—Certainly not. Most of the things sent away, that have come to my knowledge, have been sent to other prisons.

If there have been goods to the amount of ninety pounds sold at a time, it has been totally unknown to the magistrates?—It has to me.

I see by an item in the Cash Book, that the county is charged thirteen pounds twelve shillings and nine pence, July 4th, 1815, for shoes made and mended for prisoners in the house of correction, as per book; can you explain that?—The taskmaster's account will explain that, I should think.

Can you any where point out where the county has been given credit for any monies received?—Certainly not.

In April 3d, 1817, the Cash Book contains an item, shoes made and mended for the house of correction, as per book, eighteen pounds six shillings and eleven pence, and in this book are only charges upon the county; can you say in what book the county has any credit for goods sold that were made in the gaol?—I can't charge my recollection with any credit that has been given the county; I have a faint recollection of some sales, but I can't recollect the particular instances.

Do you understand, that in the manufactory there are blankets and bedding made by the prisoners here, for the prisoners confined in this gaol and the other county prisons?—Yes.

Have you known of such things made here, and sent out to workhouses?—No such circumstance has come to my knowledge.

Then if any considerable quantities have been made, and sold to workhouses, the county ought to have credit for it?—Yes.

Is not Hobbs the late taskmaster, more capable of explaining matters relating to the gaol for the last three or four years, than any other person?—I should think so.

It has been stated that all the articles necessary for the use of the prisoners, have been manufactured in the prison, do you understand it so?—Yes.

I see a charge on 14th April 1817, to Gaine and Maskill for blanketing, at six shillings and sixpence, forty pounds nine shillings and two pence?—I don't know how that could be, I thought we manufactured all our things before that time.

I see in April 1819, Boyer for leather, sixty pounds, and Riall for wool, forty pounds?—These would come into our own manufacture I suppose, but it is a large quantity of leather.

If a lot of goods amounting to ninety-two pounds six shillings and three pence, was sold to an individual in October last, should it not have been brought to the knowledge of the magistrates?—Yes, it should, at the following gaol session; I know of no transaction of the sort.

Do you not think that the gaoler before he sold so large a quantity, should have consulted the magistrates on the subject?—Yes, I think so.

[Entry in manufactory book of goods sold, commencing 20th April 1819—*read.*

October 5th, 1820.	Mr. Badcock, Wells.	£.	s.	d.
64 yards of blanketing	- - - - - -	12	16	-
72½ d° broad beaver	- - - - - -	19	18	9
85 d° broad mixture	- - - - - -	27	12	6
27 d° broad brown	- - - - - -	10	2	6
145½ d° narrow kersey	- - - - - -	21	16	6
		92.	6.	3.]

Did you ever see this book before, and do you know of any similar book?—No.

Do you know of eight hundred pair of shoes having been made in the prison, and sold at one time?—No.

Do you know of any credit ever having been given to the county for any articles that have been sold?—I think there must have been, of course; I have had a good deal to do with the accounts; I think I have seen it some years ago.

[Magistrates Journal, 6th July 1820.—*Order read.*]

After that day, you were a visiting magistrate for the following quarter?—Yes; from Midsummer to Michaelmas.

A. Moody, Esq.

(11 June.)

Did you, during that time, receive any complaint of Mr. Kinnear or myself, having violated that order, or done any thing to cause inconvenience to the gaol or the officers of it?—There was a complaint exhibited at the assizes, contained in a letter from Pike, the turnkey, to Mr. Bridle, who was at Wells, with prisoners, which was read to the magistrates, and a new order was made. I visited on the Saturday preceding the assizes; Bridle was gone with prisoners; Hobbs came to me on the Sunday with a letter from Mr. Hunt.

[Magistrates Journal, 12th August 1820.—*Entry read.*]

I believe the only application I made to you on that occasion you granted?—Yes.

You said something of a letter from Hobbs?—Yes; a letter from Mr. Hunt to Hobbs was brought to me on Sunday; it complained of Pike's conduct in not permitting some things to be brought to Mr. Hunt; as well as I recollect, my observation on it was, that I should make no order upon it, and that Pike must do his duty upon it, according to his written instructions; I believe I added, that I should take the letter with me to the assizes, to shew it to the magistrates, and that if Mr. Hunt had any application to make, it must be made there.

This was a letter written to Hobbs?—Yes.

Then at the assizes, a letter came from Pike to Mr. Bridle?—Yes; it was read in the magistrates room, in my hearing; it was brought in by Mr. Bridle.

Was that before you exhibited my letter to Hobbs?—Yes; I did not intend to produce it unless it was called for.

Do you recollect the subject of complaint contained in Pike's letter?—That you objected to having your baskets opened and examined, or something of that kind.

Did you conceive that the letter I sent to Hobbs, contained an objection, or mild remonstrance?—A mild remonstrance.

In consequence of this letter from Pike, was there any order made that the baskets should be continued to be examined?—There was an order made, but not to that effect. I think Pike stated that Mr. Hunt had treated him roughly, or had given him ill language, but I don't recollect the precise words.

[Copy of order received from the undersheriff at Wells, on Sunday the 19th inst.]

[Magistrates Journal, Wells assizes, the 14th day of August 1820.]

This was the only order made in consequence of the complaint about opening the baskets?—Yes.

Do you recollect, immediately after, an application from me to you, as the visiting magistrate, upon the subject?—Yes.

Do you recollect attending, in consequence, at the gaol, with Doctor Colston, the other visiting magistrate?—Yes.

Do you recollect what was the application?—You complained of the severity of the order, I believe.

Do you remember my applying to you to know what offence I had committed to justify that order?—Yes.

Do you recollect my appealing to the gaoler to say whether I had violated any of the rules, or infringed any of the indulgences granted me?—I do, very well.

Do you recollect his answer?—That he had experienced no inconvenience in consequence, and that he had no complaint.

Do you remember my asking him whether any of my visitors, male or female, had misconducted themselves in the gaol?—Yes; he answered that they had not.

Do you recollect my complaining that Miss Grey (my ward) had come to visit me, and that I could only see her at the felons grating?—Yes, I remember that.

Examined by the Commissioners.—Was Mr. Bridle present when this complaint was made?—Yes.

Examination by Mr. Hunt, resumed.—Did you and the other visiting magistrates, consider that the order was intended to have been carried into effect in that way?—No.

Then it was, I believe, that you called upon Mr. Bridle to say why he so construed the order?—Yes.

And he produced a letter from Mr. Broderip, as a sort of a justification of his conduct?—Yes; Mr. Bridle had written to Mr. Broderip to know how he was to construe certain parts of the order.

That Mr. Bridle having received this order at Wells, he applied before his return to the under-sheriff to get an explanation of some parts of the order, and to know how he was to act under it?—Yes.

Did you see the writing, to see that it was Mr. Broderip's writing?—I thought it was.

However, Mr. Bridle produced that note as a justification of his sending my female ward to the grate?—Yes, I believe it was; I think the answer of Mr. Broderip referred to a former order; I don't think that Mr. Broderip said any thing about Miss Grey.

Mr. Melliar was under-sheriff at that time, I believe?—I believe he was.

In consequence of that application of mine, did you then make an order that I should see my friends at the conversation room?—Yes.

[Magistrates Journal, 24th August, 1820.—*Entry read.*]

You made the order that I should see my friends in the conversation room?—Yes; at that time, I did not know but it was a decent room and properly fitted up for debtors to see their friends and professional men.

Have

A. Moody, Esq.
(11 June.)

Have you any reason to think, that that is not a fit and proper place for that purpose?—I think now, it is now a very unfit place for any respectable person to go to.

Do you know of any order being made for relieving me from that situation?—I am not aware of any.

Were you at the last Michaelmas session at Taunton, when an order was made on the same subject?—Yes.

Was Sir Charles Bampfylde present on that day?—No.

[Order of 16th October—*read.*]

Sir Charles Bampfylde was high sheriff at that time?—Yes.

Was Mr. Melliar, the under-sheriff, present at the Taunton Michaelmas sessions?—I do not recollect whether he was or not; I now remember, that Mr. Broderip was there, and that Mr. Melliar was not.

Do you recollect, when you were a visiting magistrate, making sundry orders for alterations and improvements in my ward?—Certainly.

[Magistrate's Journal, order, 23d September 1820, *read.*—"Alteration in Mr. "Hunt's ward."]

Was that porch ever done?—No.

Was any part of the order executed when you came again a month afterwards?—Not a month, but a short time afterwards, it was not.

Referring to the latter part of that order, do you consider it as excluding my daughter's servant coming to me with my daughter's child, in company with the mother?—I certainly should not have so construed it.

Have you seen any of the bread delivered at the gaol within this month?—Yes, exhibited in this room.

Did you consider that as good bread?—No, I thought it very bad bread; and sent for the baker to attend the next morning, which he did.

Did you admonish him?—Yes, in pretty strong terms; telling him that I should enforce the conditions of the contract, if he did not send better bread.

The contract is for twelve shillings per cwt. for good standard wheaten bread; what do you understand to be meant by fair marketable quality?—Such as would be exposed for sale in a baker's shop, to entitle them to custom.

Have you calculated, whether twelve shillings per cwt. is a price such as to enable a baker to supply bread of a fair and marketable quality?—I told the man at the time, that I thought it was too low a price to enable him to send good bread; but that would be no excuse for him to send bad bread.

What price was the preceding contract?—Fifteen shillings per cwt. and the contractor for that offered to supply the present quarter at thirteen shillings and sixpence per cwt.; but there was an intermediate offer of thirteen shillings and four-pence.

Do you think that any baker could afford to supply good bread, to do justice to himself and the county, for less than thirteen shillings and six-pence per cwt.?—I thought not at the time.

Bread forms but a very small proportion of the expense of the gaol?—Yes, at the present prices.

You serve out nothing but bread as a gaol allowance?—No.

There has been, at different periods, frequent complaints about bread?—Yes; and have ordered the penalty to be inflicted, unless the baker changed the bread.

Do you know one instance of the penalty having been enforced?—No; but I think I have known the bread returned.

How long have you been a visiting magistrate?—Occasionally for fifteen years.

Have you ever, during that time, known the bread that has been complained of sent back, and good bread purchased for the prisoners?—I think, in the instance I spoke of, I asked the opinion of the surgeon relative to the bread, and ordered it to be sent back; and in case he did not send better bread, the penalty should be enforced.

You won't undertake to say, that the bread was sent back?—No, I did not see it sent back, but I had no complaint against the same baker.

Do you know any thing of the drains, how they are washed out with water?—No; a well was dug in the new time yard three or four years ago, and the water found very bad at twelve or fourteen feet deep. It was then sunk through a black marl to about eighteen feet deep, and the water being then worse, we ordered it to be stopped up.

Has your attention been lately called to the gaoler's Occurrence Book?—Yes.

Did you then ascertain whether it was kept as it ought to be?—I saw several alterations and interlineations in it.

Did you ever approve of bands of music being brought into the gaol?—Such a circumstance, I conceive, must have been totally unknown to the magistrates.

[Rule, "Governor's absence," *read.*]

Is Mr. Bridle in the habit of asking the leave of the visiting magistrates to be permitted to be absent during the whole of the night?—He has not lately applied to me on that subject; formerly he did; but that has not been the case for the last three or four years; whether the order has been dispensed with, I cannot say.

Cross-examined by Mr. White.—I believe it is the peculiar duty of the taskmaster to attend to and keep the accounts of the gaol, to which you have been referred?—Yes, I believe it is.

A. Moody, Esq.
(11 June.)

Are not all the bills and vouchers produced to the magistrates at the quarter sessions?—Yes.

And those accounts are audited, and allowed by the magistrates at the quarter sessions?—They are audited here at the gaol sessions, and finally allowed and ordered for payment at the quarter sessions.

Do you know whether the item of ninety-two pounds six shillings and three-pence, for goods sold to Mr. Badcock, be paid or not?—I know nothing about it; I never heard of the transaction before.

Have you any reason to suppose that, if it had been paid, it would have been brought to the credit of the county?—I have no reason to suppose one way or the other; it ought to be; it seems extraordinary to me, that goods to that amount should have been delivered in October, and that three gaol sessions should have intervened without any account of it having been brought to the knowledge of the magistrates, and I am a good deal concerned in settling the accounts. I think it extraordinary that I should never have heard of it.

You have access to all the books relating to the manufactures carried on in the gaol?—The books are produced at the gaol sessions.

Then you might have seen the entries if you had called for the books?—I suppose so.

Mr. Broderip and Mr. Melliar are in partnership together?—I understood so.

And they act for each other occasionally?—Yes, I believe so; and if either of them attend at the quarter sessions we feel ourselves very well satisfied.

Mr. Broderip attended at the Taunton sessions in October last, and did the business of the under-sheriff there?—Yes.

Do you know of Mr. Bridle having been absent from the gaol at night upon any other than gaol avocations?—No, only from report.

Do you remember Mr. Bridle handing you and the other visiting magistrates the order that was made at Wells, with his letter to Mr. Broderip, and Mr. Broderip's answer to it?—Yes.

Do you remember that it was stated in Mr. Broderip's answer, that any further information Mr. Bridle might require, he would receive from the visiting magistrates?—I don't think those words were made use of, but that it referred to former rules and orders of the gaol.

Respecting the order for the porch, do you recollect Mr. Bridle stating, that there would be some danger in it?—Yes; he said, that it would act as a sort of a step-ladder to get from one ward to the other; and then I suggested, that rising the floor of the passage above the level of the stones in the front of the door, and putting a sort of threshold, would keep out the water, and Mr. Hunt acquiesced in the propriety of that suggestion.

Was the excuse for not doing the other work stated to be the want of bricks?—No, there was no excuse stated at all.

Then neither Mr. Hobbs nor any other person stated to you that that was the reason for its not being done?—Not that I remember, I think I should remember it if it had been done.

Do you know that there was a scarcity of bricks at that time?—No, nor never heard of it.

During the time of your acting as visiting magistrate, did Mr. Bridle call upon you for your interference respecting the bread?—I believe he sent a note to me complaining of bread sent by Cubland.

Is that the only occasion on which he sent?—I can't charge my memory with it, I think there were two complaints that quarter.

I mean during the whole time of your acting as a visiting magistrate?—He may have frequently made complaints during that time, eight or ten times perhaps.

Has he not frequently made complaints?—He may eight or ten times.

On those occasions, has not Mr. Bridle been the advocate of the prisoners?—That they should have better bread, certainly.

Perhaps he has never to your knowledge opposed the prisoners making their complaints?—Not to my knowledge; I can go further, he has never shewn any partiality to any particular baker.

Is the Occurrence Book always laid before you as visiting magistrate, when Mr. Bridle is present, as well as when he is absent?—It lays in the room.

And at the gaol sessions always?—Yes; and if I have not visited for some time, I have generally referred to it to see what has been passing, and that is generally done by other magistrates, I believe.

Re-examined by Mr. Hunt.—Do you consider it the business of the taskmaster to give credit to the county?—No.

When you examine the accounts at the gaol session, do you do so minutely?—When we examine them, and any large sums occur, or any thing particular strikes us, then questions are asked, and explanations required, either of the gaoler or taskmaster, but generally of the taskmaster.

What do you conceive of it if Mr. Bridle had received monies on account of the county, and not accounted for it at the next gaol sessions?—I should conceive that Mr. Bridle had committed a fraud upon the county.

Have Messrs. Broderip and Melliar been so long in the office of under-sheriff, that the attendance of either of them is perfectly satisfactory to the magistrates?—Perfectly so, we consider them one and the same person.

Then if Mr. Broderip signed the order before alluded to, he did so in fact only as the under-sheriff's

under-sheriff's deputy?—Yes; with the understanding that they have been conducted as one and the same person. *A. Moody, Esq.* (11 June.)

Do you remember in the conversation with Mr. Bridle about the porch, that he said he had no apprehension of my attempting to escape, but that others might who came after me?—I don't recollect.

Did Mr. Bridle ever mention to you as a visiting magistrate, that he had any apprehension or suspicion of my attempting to escape?—No.

Examined by the Commissioners.—Do you conceive it to be the duty of the gaoler to report to the visiting magistrates the punishment of any prisoner by solitary confinement at their next coming?—Yes; and he has generally done so unless the complaint has previously ceased, and then he has not been in the habit of communicating it.

But he ought to enter it in the Occurrence Book?—Yes; but he does not personally state it to us.

Is it your custom when you are informed of a person being in confinement; do you have that person before you to enquire into the circumstances of the case, or are you satisfied with the statement of the gaoler?—I generally have the person before me, though I may sometimes have depended upon the governor's statement.

[Adjourned at a quarter past 2 P.M. until a quarter past 3 P.M.

The Commissioners re-assembled at that time.

The Reverend R. T. Whalley and John Newman, esquires, visiting magistrates, desired to make a communication to the commissioners.

Mr. Whalley stated that since Mr. Newman and himself gave evidence, steps have been taken to ascertain from respectable bakers at a distance, whether the gaol bread was of a good and wholesome quality; that two bakers (John Coles and William Chorley, of Taunton,) have deposed upon oath, before him and Mr. Newman, that they are perfectly satisfied that it is adulterated bread, and contains a mixture of potatoes or some other meal that ought not to be used in making bread. That they believe there is also alum in it, because they found a disagreeable roughness in the mouth, sometime after eating it. They did not think it was made with damaged wheat, and did not find it otherwise than quite sweet when they first tasted it. That they did not discover the rough taste till a quarter or half an hour after they first tasted it. That they do not think it wholesome bread, but believe it would be injurious to any person that should eat much of it. Mr. Whalley further stated, that those bakers found that the bread of the present days delivery was better manufactured and better bread, but that they thought there was alum in that also.

Mr. Whalley stated, that the visiting magistrates have taken measures to have the defect remedied.

The Rev. *R. T. Whalley* being Sworn, says:—I wish to add to my former evidence, that on inquiring into the charge made by Mr. Hunt against Richard Pike the turnkey, of shewing Mr. Hunt for money, the impression upon the minds of myself and my brother magistrate was, that that charge also was not well founded; and that as far as I myself am concerned, I think it but justice to Mr. Hunt to state, that I did not mean to attribute by that entry any intentional falsehood or misrepresentation of facts.

Jane Joan Barnard called in; and Sworn.

Your husband is a debtor in this gaol?—Yes. *Jane J. Barnard.*

How long has he been so?—Better than three years.

Examined by Mr. Hunt.—Where do you live?—At Somerton.

You have frequently visited your husband in this gaol?—Yes; especially when he was ill; for my daughter visited him then every morning.

Where is he?—In the lower ward; he was in the upper ward at first.

In consequence of the illness you speak of, he could not eat his bread?—Yes, and he gave it away.

When he could not eat the bread, was he supplied with meat and broth from the county?—No, none at all.

Do you remember his sending out a loaf of bread to his children?—Yes; I said, pray don't give away the bread, but let me take it home for the children, who are in want of it.

Did he send out any bread?—The next morning he gave my daughter two loaves to take home to me.

Do you understand that the bread was stopped at the gate?—Yes.

What did your daughter say when she came home?—She came home in a great fright, and fainted afterwards. She said Mr. Bridle had taken the bread from her, and she did not know what he would do to her father about it.

Were you with your husband when anything happened?—Yes; in consequence of a dispute between him and another man, about opening the window (my husband had a bad cold,) the governor came, and ordered him out of the ward into a cell, and his bed and other things were taken to him; and I told Mr. Bridle, that my husband was an old man, and, as the cell was very damp, it would be of great injury to him; but Mr. Bridle turned his back.

Was it a cold damp cell?—Yes; when I came next morning, I found the bed that had been laid against the wall as wet as dung.

Jane J. Barnard.
(11 June.)

Did your husband continue ill?—Yes, worse and worse; and every day either I or my daughter came to him, and brought him nourishing things.

Did the gaol surgeon attend him?—I never saw him there.

Your husband staid there a month?—Yes.

Where was the cell that your husband was put in?—In the boys ward; it had a free-stone floor.

Did you think that the place he was put in did him good, or made him worse?—Made him worse; they were obliged to take him out, or he would have been a dead man.

Did anything happen at the gate while your husband was ill?—When I came to the gate, my hand being very cold, I happened to knock twice, and was very much abused for it indeed.

Who abused you?—His name was Treganza, a turnkey.

Was anything threatened to be done to you?—Yes; he said he would put me into the cells if I did the like any more.

Have you taken any notice of the water?—Yes; soon after my husband went into the upper ward they were pumping; and I asked what it was smelled so; they said the water. I found it stunk almost as bad as a necessary.

Do you see your husband in the ward?—Yes.

You can stay there an hour?—Yes.

Your children must go to the conversation room?—Yes.

And when they have staid an hour, they are turned out into the town for two hours?—Yes.

What sort of a place is the conversation room?—A very damp place, and very wet in winter time.

Cross-examined by Mr. White.—You were not present when the bread was stopped at the gate, and know nothing about it, only what your daughter told you?—No.

You visited your husband in the cell you spoke of?—I or my daughter did, and brought him something every day.

Did you ever complain to any one of the dampness?—We talked of it to ourselves.

Did you complain of it to Mr. Bridle, or any of the officers?—No, I thought it no use to Mr. Bridle as he turned my husband into that cell.

Did you or your husband ever apply to go back?—No, I never did; I don't know that myhu sband ever did.

Then he was removed back without any such application having been made to your knowledge?—Yes.

Were not you and your husband sorry that he was removed back from it?—I was glad he was removed out of that damp place.

Will you swear that you never said to any one that you were sorry he was removed back again?—Oh! I am sure I never said that, for I was glad he was removed out of the place.

Mary Barnard called in; and Sworn.

Mary Barnard.

You are a daughter of Mrs. Barnard, who came in just now?—Yes.

Examined by Mr. Hunt.—Do you often come to see your father?—Yes.

You can only see him, I believe, in the conversation room?—No.

And that at three separate hours in the day?—Yes; nine, twelve and three.

Do you remember taking out some county bread?—My father was very ill, and could not eat the bread, and my mother or me went down to him every day, and carried him puddings or cakes, one of them.

How did you get the money to do this?—We worked for it, mother and me, at fine glove making.

Did he send any bread by you?—Yes, he gave me two loaves; one was mouldy, and the other was not. He said he could not eat them. I carried them as far as the lodge, and saw Mr. Bridle; and he asked what I had got in the bag, and I said two loaves of bread; and he ordered some one to take them away. I don't know who it was; I was so frightened, and went home I hardly know how. The people at the door told me my father and I should be punished for it.

You are obliged to be exactly to time, or you cannot get admittance?—Yes, or I cannot get in.

Have you been refused sometimes, when you have been too soon or too late?—Yes; when I have gone home with my work to Yeovil, I have had only an hour to go to Ilchester, and have been too late.

How far is it from Somerton to Yeovil?—It is called ten miles.

What sort of place is the conversation-room?—Very cold and damp, and sometimes the walls are streaming with wet.

Have you ever found any inconvenience from it?—Yes; I have caught cold there, and was very ill some time; and when I got better, I had a breaking out in the face and neck.

Did you find yourself chilled there?—Yes, while I sat there.

Cross-examined by Mr. White.—What made you so frightened?—Because I thought they would hurt my father for bringing it out.

What was your reason for thinking they would hurt your father?—Because I did not know whether he had a right to take it out or not.

Perhaps you told your father you thought it was wrong?—No, I did not.

Then

Mary Barnard.
(11 June.)

Then, until Mr. Bridle took it from you, you thought you were doing right?—Yes; and then I did not know whether Mr. Bridle could injure me or my father for it.

You never took out any bread before or since?—No.

You were very ill when you got back, and fainted?—Yes.

Was that for fear of being punished for what you had done?—Yes; some young men outside told me I should be put down in the cells for it.

Your father was very ill at the time you took out his bread?—Yes, he was very ill.

You are quite sure of that?—Yes; he complained in the conversation-room.

Re-examined by Mr. Hunt.—When you carried your father something to eat, you were not allowed to carry him water?—No, nor any thing else to drink.

After your father had got a loaf in two days allowed him by the county, you did not know but that it was his own?—No.

When you took him in meat and other things, he partook of what you brought, and you partook of his bread?—Yes.

You never heard of any law to prevent you from eating his bread without the gate, as well as within it?—No.

You have never taken any out since?—No.

John Barnard Sworn.

J. Barnard.

Are you a debtor in this prison?—Yes, in the upper ward.

You have been in the gaol three years?—Yes, three years last Michaelmas.

Examined by Mr. Hunt.—Soon after you came in, you were in the lower ward?—I was in the upper ward a fortnight, and then sent home for a certificate, and was removed into the lower ward.

How long did you remain there?—About a twelvemonth.

What was the cause of your being removed?—I was sick and could not eat the bread, and I gave my children the bread to carry home.

Had your wife and daughter brought you things to support you while you were ill?—Yes.

How many loaves did you send?—Two loaves.

How soon after did you hear that she was stopped at the gate with it?—About an hour afterwards.

What took place afterwards?—The next day, Mr. Phelips, the magistrate, was sent for, and I was taken before him; and he asked me why I did it; and I told him I was sick and could not eat it, and gave it to my children, as I knew they wanted it bad enough. Mr. Phelips told me my bread was taken away, and my name struck out of the book, and that I was to go back to the other ward. I told him I hoped not. Says he, "It's done already." And that was all: there was no redress.

Your children eat the bread when they were with you?—Yes; I could not eat it all.

Was there any rule hung up that you should not send out bread?—I never saw any; I had seen other people send out bread, and thought I might do the same.

How long after was it that you were removed into a cell behind?—That was the Spring following.

Were you ill then?—Yes, I was very ill.

Had you and one of the debtors, any squabble about opening the window?—Yes; that was what gave me my cold. Joseph Loveday came every morning, at seven o'clock in winter time, to open the window that was close to my bed side; I begged him not to do it, but he continued doing it every morning, and I told him, if he kept on doing it, I'd throw the contents of the chamber-pot at him, and I did it, and then he complained of me to Mr. Bridle; Mr. Bridle came up and asked me why I did it, and I told him that he opened the window, and as I was ill, I could not bear it; Mr. Bridle said, "if you are sick, I'll take care of you."

What was done then?—I was put down in a damp cell, with a man to look after me, but he never did any thing for me; I caught there a worse cold than I had before; I thought it would have killed me.

Was it a cold damp cell, or did you fancy so?—It was a cold damp cell, with a stone floor.

Which cell is it?—I went through Mr. Bridle's passage and turned on the right through a door, and there was a little place, and there I was a month to a day.

Was that the only care he took of you?—That was all; I never had any thing, nor he never came to see me; I had nothing but what my wife brought me, and the doctor never visited me but once.

Did you ever hear it cried out, "who wants the doctor?"—No.

Who did you see?—Mr. Pike and Mr. Treganza, and the shop man now and then, and then I saw him through the key-hole, and called to them, if I wanted them.

Then, if your wife and daughter had not brought you something, you must have starved?—Yes.

Was Mr. Bridle so severe upon every one that behaved ill?—I don't know; he had done me a deal of injury, I thought.

Was any thing done to the man that opened the window?—No.

Did any thing happen between you and a man named Isdale, last summer?—Yes; I had bespoke some cabbage, and it was brought in, and I did not happen to be at the window,

J. Barnard.
(11 June.)

and Mr. Isdale took it in and paid the woman for it; I asked him for the cabbage, and he would not let it go, and I asked George Bridle who the woman brought the cabbage for, and he said, for me; still he would not let it go; we had some words, and he struck me three times, once in the mouth, and injured my teeth so that I was obliged to have them out afterwards. I complained to Mr. Bridle, and told him I wanted satisfaction for being beat, and he said I could have the same law there as I could out; I asked him to send for a magistrate; Mr. Bridle said I had better go back into my ward, and write a note that he was to send for a magistrate; I did so, and I heard no more of it from that hour to this.

When you threw the contents of the chamber-pot over the man, you were punished by a month's solitary confinement, without a magistrate, and when you had your teeth beat down your throat, you could have no redress; don't you consider this very cruel and unjust treatment?—Yes.

Cross-examined by Mr. White.—You have had several quarrels since you came here?—No, not many; I have had two; I don't recollect having any angry words with any body else.

You were not to blame in both these quarrels?—No.

You were not to blame in throwing the contents of the chamber-pot over the man?—No, I thought he deserved it.

You did not complain when you were removed down into the cell?—No, I would have died there before I would have asked to be removed; bad enough it was, with walls running down with wet.

You were very sorry when you were removed back to the ward?—No, I was very glad.

You have never said to any one that you were sorry?—No.

When you had recourse to this method in the bed room, did not your brother debtors complain of this beastly trick?—No; they complained of his opening the window, and begged him not to do it.

Part of the contents went over the beds?—No; some went out of the window, and some over him.

He was very ill?—No; I was ill, but there was nothing the matter with him.

None of the debtors cried, shame of you?—No; they laughed at it.

I believe you have land and houses at Somerton?—Yes; leasehold, held under Lord Ilchester.

What is the rental of this property?—About sixty pounds a year.

What is the amount of the debts that you are in custody for?—One hundred and fifty pounds.

Did you desire Pike or Treganza to send for the doctor for you when you were in confinement?—No.

Did you tell them that you were ill, and wanted the doctor?—No, I would have died first; the doctor came once, and asked how I was; and I told him a little better, in hopes he would have removed me to the ward, but he did not.

Re examined by Mr. Hunt.—How much does your leasehold premises bring in a year?—Fifty-seven pounds and ten shillings; but I have five pounds a year to pay out of it to my mother-in-law.

And how much is it mortgaged for?—Six hundred pounds; and then there's the insurance besides.

Have you ever offered to pay your creditors so much a year, if they would let you out?—Yes; I have offered ten pounds a year for five years.

Examined by the Commissioners.—How much do you receive clear a year, after every thing is paid?—Not more than twenty pounds.

When you were before Mr. Phelips, was any other reason assigned for sending you to the gentlemen's ward, than the circumstance of having given your bread to your daughter to take out?—No.

And while you were in confinement for the second quarrel, you were never taken before any magistrate?—No.

Did the visiting magistrates ever call upon you while you were in confinement?—No.

How old are you?—Sixty years next September.

You lived at Somerton before you came here?—Yes.

And those places you speak of are at Somerton?—Yes.

Are all those places let?—Yes; but I have a house and orchard that is not let; the orchard is an acre of ground.

How many children have you?—Four.

How old are they?—One is married, he is twenty-three; another nineteen, another ten, and another turned seven.

Robert Gibbs called in; and Sworn.

R. Gibbs.

Are you a prisoner here?—Yes; under sentence of seven years transportation.

Examined by Mr. Hunt.—Have you been in the habit of helping to clean out the drains?—Yes.

You are a mason, I believe?—Yes.

Has the surveyor ever been through the drains with you?—No.

R. Gibbs.
(11 June.)

Is there a good current?—There is in one of them, and it is that that is next the mill.

Does the water come into the other drains?—The water that comes in must come in at that drain, and then it goes into the cross drains, unless when there's a flood.

What do you mean by a flood?—When the water pens back from the river to all the drains.

How wide are the drains?—About two feet four inches, except one.

How high?—About four feet nine or ten inches.

Which is the narrow one?—That that crosses the debtors wards, about twenty inches wide, and five feet high; it goes strait out into the river.

Where does the next drain go out?—It crosses the time yards, and goes strait from there.

Does that empty itself above or below the pipe of the river water pump?—That goes out just below; and there is a small drain branches from it, and goes into the river just above the pipe.

Where does the main drain enter the prison?—It comes from the mill, and goes under the debtors ward, the boys ward, the laundry, refractory, infirmary ward, and crosses the factory yard, goes straight down, and a branch of it goes under the factory privy.

Is there a good current, or is it flat?—It is very flat all down by the factory; some parts of the bottom of most of the drains are in holes, so that the dirt lays back and cannot go off.

Are the bottoms of the drains flat?—Yes, all of them.

How often, upon the average, are the drains cleaned out?—About twice a year.

And what state have you found them in?—In a very bad state, being so long without being cleaned out.

Have you found any large quantities of filth in them?—Yes, in some places, above two feet deep.

Have not you great difficulty in removing it?—Yes; it is congealed together with biding so long.

What is given to the men before they go down to do such a job as that?—Nothing.

Has it never made any of the men ill?—Yes; they complain several times and are obliged to stop.

Where is the most filth collected?—Under the two time yards and factory.

How does it run from the laundry down to my ward?—It runs pretty clear till you come to the turn, and so it does under the felons yard.

Then the bottom being flat, a small current will not carry off the filth, and when there's a good flood it pens back?—Yes.

When were the drains cleaned out last?—Last week. The men were up to their knees. I told Mr. Pike that they wanted cleaning three months ago; and I told Mr. Bunter of it since he came here.

Do you believe that there are some places where the filth never was out?—Yes; particularly under the time yard.

Are any of the wells situated near this drain?—Yes; one where Mr. Kinnear was, about two feet from the drain.

Did you help to clean out the well in my ward?—Yes; I found the first time nothing but two springs running in.

Were they running in at the bottom?—Yes, quite at the bottom; if the plumber had come it would have been covered over the same day.

But the plumber not coming, it remained open till the next morning?—Yes.

What was done then?—When we went next morning, the well was almost full of water.

Do you recollect my requesting to have it pumped out again?—Yes.

When the water was out, did you go down?—No; we could not get out all the water. There was a flood, and it kept running in so fast in two large streams.

Where did those streams come from?—The side next the sewer.

How happened it, that when I came out again the well was almost full?—Mr. Bridle came and asked me, whether I could dig another well in the place, and I told him I did not know without I could dig one in the corner.

Was one began digging in the corner directly?—Yes.

Had you any orders what to do with the stuff that came from the new well?—Yes; to put it into the old well.

So then the old well was filled up without ascertaining where the two streams came from?—Yes.

Have you any reason to believe that any of the drains run into the wells?—I don't know; I never opened but four, two in the debtors yard, one in the misdemeanor yard, and Mr. Hunt's; and if the water runs from them it must go through the crown of the arch when there's a flood.

Are there any wells where the water is discoloured?—Our's in the time yard is very foul sometimes, and smells terrible.

Do you know whether that well is near the drain?—No; I don't think it is.

How is the drain in the factory?—I have generally found it two feet deep in filth, when I have gone to clean it out.

Are the wells ever dry?—No; but I have known them pumped dry, when they have been pumped a good deal. There is not much water in them. We must not go down low, or else the water smells so.

Cross-examined by Mr. White.—Are not all the drains paved?—Yes; but the stones are not regularly laid down.

R. Gibbs.
(11 June.)

If the run was more than it is, would not the mouth of the drains be under the bed of the River?—Yes; some of them would. The drain down at the factory, and when the water comes a little up it pens back.

Are not the drains filled up with a large current of water in winter, and only dry enough in summer to be cleaned out?—The water can't run in summer when there is so much in them.

How is it possible that you can force your way into them, if they are so full as you speak of?—We are forced to push it back with a scraper.

How many men are generally employed in this work?—Four.

How long is it generally in hand?—Two days.

Are the drains walled on each side, and arched?—Yes; they are walled on each side, and some of them are arched with brick, and some with stone.

Are the wells walled up?—Yes; all that I have seen opened.

What thickness of earth do you suppose is between the drains and the wells?—That in Mr. Kinnear's ward has about two feet.

Then, if the wells and drains are walled up, and there is this thickness of earth between them, how is it that the water runs through?—I don't know; but some of them do, I suppose the walls are not well put together.

How long have you been here?—Two years and nine months, before trial and all.

What has been Mr. Bridle's conduct to you since you came here?—Only, for my good behaviour, Mr. Bridle kept me back to work.

I asked you, not what your conduct was, but what Mr. Bridle's conduct had been to you?—Mr. Bridle always behaved very well to me.

What has been the general opinion, among the other prisoners, of Mr. Bridle's conduct to last Christmas?—If they behaved well, they would have no more said to them than has been said to me; the constable desired the men to be quiet when they are making a noise; and sometimes they will, and sometimes they will not.

Up to the time of the late inquiry, has not Mr. Bridle had the good opinion and good wishes of all the prisoners?—Yes; Mr. Bridle came into the yard sometimes, and desired them all to be quiet; and the turnkeys have done the same.

I ask you, whether, up to the late inquiry, Mr. Bridle has not the good opinion of all the prisoners?—I don't know.

Re-examined by Mr. Hunt.—How long did you work in irons after you came here?—I had irons on before I was tried; and I was tried in irons, and had them on at work for two years afterwards.

And that you call kind treatment?—I dare say, if I had asked Mr. Bridle, he'd have taken them off.

How long have you had that cold?—About a fortnight.

How often has Mr. Bridle visited you since your illness?—Once; that was when there was a complaint about the bread.

Did you consider that Mr. Bridle had the power to send you away when he pleased?—I thought so, in case I did not behave well.

Examined by the Commissioners.—There are two drains pass under the further time-yard, and both empty themselves into the river?—Yes.

Down which of these two drains does the soil pass from the privy?—The lower one.

Do you know how it is, that the drain which passes under the felons yard, keeps itself cleaner than the other drains?—When the water is high it pens back, and at other times it is dry.

Is the fall of that drain more rapid than the fall of other drains?—Yes; it has a quicker fall.

Did you ever observe the water in your time-yard looking red?—Yes.

When does that happen?—Mostly in summer; it smells very bad then; I have known it smell very bad at the fall of the year.

Was the iron that you had on a light one?—I had a heavy iron before trial, and afterwards Mr. Bridle desired the lightest iron that could be found should be put on me.

[Adjourned at half past 7 P. M. until 9 A. M. to-morrow.

TUESDAY, 12th JUNE 1821.

The Commissioners assembled at the Gaol, at 9 A. M.

Mr. *William Shorland* called in; and Sworn.

YOU are a surgeon in this town?—I am.

Mr. W. Shorland. (12 June.)

Examined by Mr. Hunt.—How long have you lived in Ilchester?—I was born here; I have lived here ever since, forty-five or forty-six years.

Have you ever had an opportunity since you went round the prison, to know any thing about the drains?—Yes.

Have you looked at them this morning?—I have at the outlets.

How many drains do you find about the lodge?—Two above, and one nearly opposite.

Have you seen the pipe that supplies the river water pump?—Yes; it is situated nearly opposite the outlet of the lower drain.

Has there been a bay made to prevent the running from the lower drain below the pipe?—There is a bay, and it appears to be recently made.

Before that bay was made, did the lower drain run out, upon, or near the pipe?—It must have run out nearly in a line with it.

If that lower drain conveyed away the excrement of fifty to a hundred persons, what would be the effect of it upon the persons who had that water to drink?—It must be highly injurious to their health, certainly.

Supposing the drains to be upon a level, so as to contain the excrement for a whole half-year, what would be the effect of it upon the atmosphere?—It would be extremely injurious to the health, and the most likely mode of promoting disease.

Do you know whether any investigation ever took place relating to the assembling of persons in a filthy state at chapel?—I wrote a letter to Sir John Acland, when the typhus fever raged in the gaol, and I attended a doctor in the ward you now occupy; I stated to Sir John Acland, that I considered a great source of disease originated in the chapel.

Do you know whether that letter was ever sent to the gaol?—Yes, I saw it myself in the gaoler's possession.

[Occurrence Book, Saturday, 5th October 1817.—Copy of Mr. Acland's letter, directing divine service to be for a time discontinued.—*Read.*]

[Mr. Shorland's letter, 28th September 1817.—*Read.*]

Do you know whether any means have been taken to ventilate the chapel since?—It seems to me to be more crowded and close, with an additional net-work and fillagre since erected.

Do you know whether there were warm and cold baths in the gaol before the alterations?—Yes.

Both before Mr. Bridle came?—Yes.

Where were they situated?—On the right hand as you enter the lodge.

Where the cage is now?—Yes.

You remember the gaol before the alterations, and have attended persons in it?—Yes.

Do you consider the health of the prisoners has been studied in the alterations that have been made?—No, I do not, but the reverse.

Do you know, whether the water that runs through the drains, is taken from above or below the mill?—Below the mill.

Then can Mr. Tuson, the proprietor of the mill, prevent any water whatever from coming into the gaol?—Yes.

Have you been long acquainted with Mr. Bridle?—I have known him ever since he came here.

Have you visited him in the gaol?—I did for about two years, I think.

Have you known gambling by the prisoners when he has been present?—I have played at cards with him and Mr. Kinnear, two or three times.

Was there always good order maintained, or have there been drunken parties?—I have known convivial parties a little tipsy.

Have you ever known the key turned upon convivial parties by the gaoler, to prevent their going out?—Yes.

How has that been done?—When people have wished to go, the gaoler has said, recollect you can't go without I let you, and I have given orders that no one is to be admitted out.

Is Mr. Bridle, as far as you have been acquainted with him, a man of decent habits, or is he addicted to swearing?—He swears abominably.

In common conversation?—Yes.

Is this his common practice?—Common conversation.

Have you ever known him swear so disgusting as that people have left the room?—Yes; Mrs. Shorland has left the room two or three times; he swore so disgustingly.

What sort of expressions is he in the habit of using?—Very horrid ones; such as "damn your bloody eyes!" and "damn bloody bugger!" and such like.

And this has not happened in one solitary instance?—Oh, no; very common, indeed, those expressions are.

Mr. W. Shorland.
(12 June.)

Cross-examined by Mr. White.—Were you intimately acquainted with Mr. Bridle?—Yes, two or three years; he was here many years before I was acquainted with him at all.

During that period, you were particularly intimate together?—So far intimate, I attended his family professionally, and we were engaged in a concern that caused us to be a good deal together.

You are not professionally concerned for the family now?—No.

You remember, on the 1st of January 1820, writing him a letter?—Yes; it might be then; I don't recollect exactly the date.

Do you recollect these expressions in the letter—"Dear Sir: Be assured that, in this "affair, it is your friendship only I value"?—Yes.

"And you only I would take the smallest pains to convince of my innocence:"—Do you recollect that expression?—Yes.

"I remain, dear sir, your's most truly:"—Do you recollect that?—I don't recollect that I concluded in that way; it is possible I might.

Had he, before you wrote that letter, been guilty of the profane swearing you mention?—Yes; I have had no communication with him since.

Then the circumstance of this profane swearing never lessened your friendship for him?—I never had any great friendship for him; I thought I was degrading myself by having any acquaintance with him; I thought him very much beneath me.

My question is, whether his profane swearing lessened your friendship for him?—It lessened it in my estimation.

I ask, whether your friendship was lessened by it?—Yes, it was.

Then you had before a much higher opinion of him than you had when you wrote that letter?—Of course.

You have said, I believe, that you would forgive all your enemies but Bridle?—I do not recollect having said so.

Do you recollect saying, that you would do every thing in your power to annoy and distress him, to the last hour of your life?—I never said so; I have said I would use all fair means in my power to help him.

Did you mean, by helping him, that you would do every thing in your power to serve him?—No; I meant that, during this investigation, I would bring all things to light that I knew.

Havn't you made use of similar expressions before you knew any thing of this investigation?—No.

Did you know of this investigation previous to January 1st, 1820?—No; I knew nothing of it till March, when it was published to all the world.

The expressions were not made use of previous to the month of March?—No, not till after the investigation before the magistrates began.

Nor any expression to that tendency?—No; I don't recollect having said any thing at all about him.

You say you have no recollection of it; can you positively say you have not said so?—I have not said so; I considered him a dangerous man to speak of, or to speak to.

You are quite positive of this, and have no hesitation upon your mind respecting it?—No, I have not.

You have played cards with Mr. Kinnear in this gaol?—Yes, I have.

And did not think yourself degraded by it?—Yes, I did; I thought it a very unhandsome thing in Bridle introducing a prisoner.

Was Mr. Kinnear, at that time, an inmate of the house?—I don't know I'm sure.

Though a prisoner, was a man of gentlemanly habits and behaviour?—Yes; he appeared so to me.

Then it was the mere circumstance of his being a prisoner, that induced you to suppose yourself degraded, by associating with him?—Yes, when I knew the offence that he was committed for.

You knew the offence before he was committed then?—No, I did not.

You knew it before you played cards with him?—No, I did not; it was very soon after his coming here; I don't think he had been here many days.

How long was it before you discovered the offence for which he was committed?—I can't say; I heard it, by accident, the common talk of the neighbourhood.

Did you ever play cards after you knew his offence?—No.

Do you recollect the game you played?—Whist.

The points you played for?—Yes; sixpenny points. Mr. Kinnear, Mr. Bridle, and the Reverend Mr. Every, the rector of this place, betted. I never betted at cards in my life.

Do you recollect the bets?—No, I do not.

Were they very high bets?—They did not strike me as being very high; five shillings, or something of that sort.

This convivial party that you spoke of, you were one of that party?—Yes.

Can you name the rest of the party?—No; there were a good many. I recollect Mr. Webber, (Mr. Bridle's father-in-law) Mr. George.

Who besides?—I cannot recollect, there was a large party, as many as fifteen or sixteen.

Then of that party you only recollect four?—I can't take upon me to say who they were.

You recollect there were so many as fifteen or sixteen?—I know it was a long table we dined at.

Do you recollect the season of the year?—It was about Christmas.

Perhaps the same party might have dined at your house?—No.

The party was in Mr. Bridle's house here?—Yes, we dined here.

Were

Mr. W. Shorland. (12 June.)

Were the prisoners much annoyed or incommoded by it?—I saw nothing of the prisoners that I knew of.

Did this convivial party meet often at Mr. Bridle's house?—I don't know; I was not in the habit of meeting them often.

Perhaps you never met a convivial party in his house before or since?—I have dined here, I suppose, three or four times.

On these occasions was he guilty of great excesses and intemperance?—Not generally.

Was he at all?—I have seen him tipsey.

Is he a man, from the knowledge you have of him, you would say was a drunken intemperate man?—He is a man I should not call a sot; he drinks his glass freely.

Do you recollect the hour that the party of fifteen or sixteen parted?—It might be as late as one or two in the morning.

The time you allude to that Mrs. Shorland quitted the room, was that at your house or Mr. Bridle's?—At my own house.

Of course none of the prisoners were there?—Why, no.

Did you ever hear him swear in the presence of the prisoners?—No; I was never in the habit of being among the prisoners with him.

Re-examined by Mr. Hunt.—Was there any singing at the parties?—I have heard singing here.

That must have been rather an amusement than annoyance to the prisoners?—I should suppose so.

The letter you wrote to Mr. Bridle, was it respecting a particular circumstance that you allude to?—Yes.

The conclusion is very common?—It's a way I frequently do.

You said you would use all fair means to help him, if you knew a man suspected of housebreaking, robbery, or murder, should you not think it fair to take every means to detect him?—Yes.

Had you heard, at the time you made use of that expression, of my charges against Mr. Bridle?—No; I did not make use of it until after I saw the book called "The Peep."

In that affair that you spoke of you placed confidence in Mr. Bridle?—Yes.

And you were anxious for his friendship in that affair?—I was.

Examined by the Commissioners.—In the termination of that affair, was the opinion you expressed of Mr. Bridle justified?—No it was not.

Is typhus fever common in this neighbourhood?—It has been for the last three or four years more general than I ever knew it before.

And has it been equally prevalent in each of the last three or four years?—No, it has varied very considerably.

Has it increased or decreased?—It has varied a good deal in the same year.

Is there any particular cause to which you have attributed the increase of typhus of late years?—From having had two or three wet seasons, and then succeeded by very warm summers.

Do you think at any former period of your practice, typhus has been as frequent as within the last three or four years?—No.

Do you think that the instances of 1820 were more or less than the average of the three preceding years?—Less.

Do you attribute that to any particular cause?—No.

Do you conceive that the instances of typhus have been more or less prevalent in a population of the same number within or without the gaol?—More prevalent within the gaol.

Do you think that there is more typhus in this gaol than there would be in the same number of persons confined elsewhere?—I think the situation here particularly adapted to generate such a disease.

Was the letter that has been mentioned, written at the close of your intimacy and acquaintance with Mr. Bridle?—Yes; there has been no intercourse between us since.

When you wrote that letter, you spoke of wishing, in that affair, to maintain his friendship?—Yes.

And you have never had any intercourse, or visited him since that letter?—No.

Then it was before writing that letter, that you thought yourself degraded by associating with him?—Yes.

How early in the second year was it, that you began to entertain the idea of your being degraded?—It was during the whole time; from the first I thought myself degraded, as he was a gaoler, and altogether, as he was of no birth or education, and a man of low vulgar manners.

How early in your acquaintance with him, did you think him a dangerous man to speak to or of?—It is since our acquaintance has broken off.

How early in your acquaintance with him, did you notice his being addicted to violent swearing?—A few months afterwards.

After Mrs. Shorland had been obliged to quit the room in consequence of the swearing of Mr. Bridle, you still invited Mr. Bridle to your house?—No; he came there on business.

Respecting the cause of your breaking off your friendship with Mr. Bridle, was it from his swearing, or from some matter of a private nature?—It was from gross injustice to me in a private transaction.

Ephraim Cooper called in; and Sworn.

E. Cooper.
(12 June.)

You are a prisoner in this gaol?—Yes.
A time man?—Yes.
Under what sentence?—Twelve months imprisonment.
For what?—Felony.
How long have you been here?—Ten months to-day.

Examined by Mr. Hunt.—What is your trade?—A mason.
Have you been employed as a mason ever since you have been here?—Yes.
Have you been employed lately in cleaning out any drains?—Yes.
How long since?—Last week.
Who were employed with you?—Marshman, Henry Warren, David Davis, and Brooks.
Were you ever down in them before?—No.
What state did you find them?—Under the time wards there was near two feet deep of dirt, and it was very deep under the factory, eighteen inches in some places, and in some places more.
Do you consider it must have been lying there a great while?—Yes; or it would not have got to that height.
Was there any water running over it?—No; it was too high for the water to run over it.
Where did the water find its way out?—It went out, a good deal of it, by the other branch under the debtors ward, and the rest went down through the main drain.
How did the water go out of the factory drain?—It could not go out of that drain at all; it was stopped up.
Had you great difficulty in getting it off?—Yes; the current in some places runs back.
Was it, at last, all got clean out?—Yes; but it lays in such holes, it is almost impossible to get it all out.
What state did you find the paving of the bottom of the drains?—In some places very much sunk, as if there was no paving at all.
Where it is sunk so low, do you consider the walls imperfect?—I don't know; the walls are lower than the bottom of the drains.
Do you consider the walls and crown of the drain water tight?—The crown might, but I don't think the walls are.
Have you opened any of the wells, so as to know what the soil is at the sides of the drain?—I opened one well in your ward; the soil was large loose gravel.
Are the bottom of the wells lower than the bottom of the drain?—The well I spoke of, was about the same depth as the bottom of the drain; it was the old well; I did not go down the second day, there was so much water.
How near did you find the wall of that well to the wall of the drain?—It was very near.
Was it loose gravel between the wall of the well and the wall of the drain?—Yes.
Where do you think the water came in the second day, when you could not go down into the well?—The river was so high it came in at the sewer; I believe it could not have come in any where else.
When you found that the case, what did you do?—Mr. Bridle came, and we told him if he would let them pull up the wall and ram in some clay, it would prevent the water coming in; but Mr. Bridle ordered us to see for a place where we could dig a new well. He said we could do it quicker.
How did you manage?—We could not pull up the stone that was round the old well, the water came in so fast. So we filled it up with the gravel that came out of the new well.
Then there was no means taken to stop up the faulty place in the well; but it was filled up with gravel?—Yes.
And you are sure you told Mr. Bridle that you thought you could stop it with some clay?—Yes; but he thought it would be more trouble than to dig a new one.
When it is high water, will not the water ooze out at the same place now as it did then?—Yes, I should think it would.
How far is the new well from the old well?—Six or seven feet, or it may be more.
Do you think, that when the water is high it will find its way through the gravel to the new well?—I do not know.
Is it gravel all through the gaol?—Yes; the springs are at the bottom of the gravel.
Have you been employed in making a bay in the river?—Yes; to keep the filth of the drains from getting upon the pipe of the pump, so that they cannot pump.
Before you made this bay, did the filth of the lower drain go upon the pipe?—No; it went into the river, and washed back into the holes under the pipe.
Are there large holes dug under the pipe?—Yes, to form a bason.
When the water was low, did the filth of the lower of the three drains run out and fill that hole?—Yes; Gibbs and I have cleaned it out once or twice since I have been here. The filth elbowed round, so as to meet the filth that came from the drain.
Did the county surveyor attend you while you were cleaning the drains?—No.
Did they give you any thing to eat and drink while you were doing this?—I went down in the morning, and worked till eleven o'clock before we had any thing to eat or drink; and then I had a pint of beer, and another at one, and another when we had done about four o'clock.
Then you would like such another job?—No; I should not like to go down again; one young man was very ill next day, and obliged to lay in bed.
Were you ever punished?—No.

Cross-

Cross-examined by Mr. White.—How did Mr. Bridle behave to you?—He always behaved very well, and never gave me a mis-word, nor any of the officers since I have been here. *E. Cooper.* (12 June.)

Have you heard any of your fellow-prisoners speak disrespectfully of Mr. Bridle?—No, only those that have been punished, no others.

Had he generally treated the prisoners, to your knowledge, with kindness and humanity?—He never treated me with anything either one way or the other.

Re-examined by Mr. Hunt.—Do you know what is meant by kindness?—No.

Did Mr. Bridle ever come into your wards to inquire whether you wanted anything, or whether he could do anything for you?—No.

Examined by the Commissioners.—When you were cleaning the drains, was the stench very offensive?—Yes; and there was not room for a man to stand upright.

What had you had for breakfast that morning?—Bread and water.

Did you feel it afterwards?—Yes, for a day or two.

Did you find the filth lying principally at the mouth of the drains?—No; mostly under the privies, at the mouth of the drains, was sand and gravel, that had been washed up from the river.

Henry Warren called in; and Sworn.

Are you a prisoner in this gaol?—Yes. *H. Warren.*

What are you sentenced for?—House-breaking.

Under what sentence?—Eighteen months.

Examined by Mr. Hunt.—What business are you?—A mason.

Were you working outside the prison last winter when the snow commenced?—Yes.

Did you make any application to come in to work in the factory?—Yes, to Mr. Bridle; it was such cold weather, and my stockings were bad, without any feet to them. I had worn them between three and four months.

What happened then?—Mr. Bridle, when I asked leave to go into the factory, told me to stand aside, and that he would double iron me.

Were there more than you?—Yes; Guard and Burge.

Did any other person apply to go in?—Yes; Brookes, who lives now in the town, he did nothing to him, and Hardy he gave him two flannel shirts.

Why did Brookes escape?—I suppose because he is one of the electors in the town.

Was that the reason, as you thought among yourselves?—Yes.

Did you work afterwards in double irons?—Yes, three weeks; we went to work the same day we had them on.

You were not sentenced for hard labour?—Yes; I was cast for death. Mr. Bridle told me I was for hard labour. We were not allowed to send out for any thing in the shop till now that this inquiry began.

Are you allowed to receive presents that come from your friends?—No; not without an order from a magistrate. Squire Newman told us, the last time but one he was here, that he could not allow it.

And Mr. Bridle told you you were for hard labour?—When we came in Mr. Bridle told me I was for eighteen months, and when we put our names down upon the shop book, the men told us we were for hard labour, and were not allowed to have any thing.

Then till this inquiry commenced, you were not allowed to purchase any thing?—We were not allowed before.

During the three weeks that you were working in irons, could you get your clothes off?—No; not my breeches all the time.

Was there any inquiry before a magistrate about what you had done to have the irons on?—No.

Have you been employed in the last week cleaning out the drains?—Yes.

What state did you find them in?—Very bad; some places they were eighteen inches in mud, and some places, two feet; I was very ill next day, I could not go down but one day.

Are all your letters opened that come to you?—Yes.

And are you obliged to send out your letters open?—Yes.

Cross-examined by Mr. White.—Do you recollect when you were working outside the gaol?—Soon after last Christmas; it was very cold weather; it might be a week after Christmas.

You had refused to work?—No; I did not refuse to work.

What did you do?—I asked Mr. Bridle to let me inside the factory to work, as it was cold.

And that was all you did, asking to go inside the gaol to work; did you do this offensively?—No; quietly.

Examined by the Commissioners.—Were there many of you working outside when this happened?—About nineteen.

And very cold weather?—Yes; very cold; with rain and sleet.

Your hands very cold?—Yes; holding the irons.

Do you remember beating your hands?—Yes; to keep them warm.

Who proposed that you should all lay down your hammers and beat your hands, because it was so cold?—One Guard.

And then a good many of you laid down your hammers and beat your hands?—Yes.

Might not each of you have beat your hands separately without waiting for the word of command?—Yes; we did not wait the word of command; Guard said, let us beat our hands, and some of us did, but not all.

Did Brooks beat his hands?—Yes; Brooks and Hardy too at that time.

Jane Clasey called in; and Sworn.

Jane Clasey.

Where do you live?—At Pitney, near Langport.

(12 June.)

Examined by Mr. Hunt.—Did you serve the gaol with vegetables lately?—Yes; twice a week through the last winter, with vegetables and eggs, Tuesdays and Fridays.

Have you frequently served me with eggs and potatoes?—Yes.

Had I engaged to take things of you regularly?—Yes; you told me always to call, and you would have some; and I did.

What was the reason I missed you all on a sudden?—Because Mr. Pike huffed me.

How did that happen?—Because I went into Mr. Hunt's apartment.

Was Mr. Pike attending you round the gaol?—He came with me to come to you. When I came to the hatch he stopped, and I came on as usual with the eggs, and he called to me to come back; I said Mr. Hunt is up, and went into Mr. Hunt's as usual.

Did I buy any thing?—Yes, two dozen of eggs. When I came back, Mr. Pike said, I had no right to obey Mr. Hunt's orders, but that he ought to come out to me, and take the things in the passage; he asked me if I did not hear him call me back; I said, yes, and told him I thought he was afraid I should offend Mr. Hunt. Mr. Pike said, me, indeed, I don't look after offending Mr. Hunt no more than Jack Straw.

Well?—Then while I was standing in the lodge, he kept mobbing me; and pointing to the felons yard, he said, I might as well rush in among them fellows there as go where I had been. Then he took down the articles (Rules), and told me to read them with him; I did not understand them; I was in the gaol, frightened bad enough; and he said, he had a right to search me; how did he know I had not fire-arms.

What did you say in answer to what Mr. Pike said, about your rushing in among the felons?—I said, I did not know Mr. Hunt was a thief.—He said, "Don't talk to me, "madam, that way; if Mr. Bridle was at home, as he is not, I should not wonder if you "got locked up."

What then?—He talked so loud, that Mrs. Cox came to the door; I trembled like a leaf. I told Mr. Pike, he must forgive me; if I had done wrong, it was not wilfully done.

Had you your little boy with you?—Yes.

What did he say?—He jogged me on the elbow, and said, "Mother, do let I give "Mrs. Pike those two or three eggs for Mr. Pike's dinner, and may be he'll let you out." He gave Mrs. Pike the eggs, and she took them; and she said, she would speak to her husband for him to forgive me. I was then let out. Mr. Pike went away, scolding me, towards the governor's house. I never came again; I was afraid.

When you came to the hatch, there was nothing to prevent Mr. Pike's coming in with you?—No.

And you had nothing said to you to prevent your coming in then, as you had done before?—No.

And did that treatment prevent your bringing eggs and vegetables to the gaol afterwards?—Yes.

When was that?—Three weeks before last Lady-day.

Cross-examined by Mr. White.—Mr. Bridle was from home at this time?—Yes.

Did you ever tell him of it?—No.

Did he ever interrupt you when you came in?—No.

Has not he given you every opportunity to sell and dispose of your things?—I never spoke to him, but to ask him to settle a little bill of his mistress; he never interrupted me.

[Rule 5th *read.*]

Was that what Pike read to you?—Yes.

Re-examined by Mr. Hunt.—Were you always allowed to go round the gaol with your things?—Yes.

Mr. Pike did not tell you that Mr. Moody had made an order for people to come to me with necessaries?—No; I asked Mr. Pike several times to wait upon Mr. Hunt with potatoes before I ever saw him. He told me Mr. Hunt did not want any, as he had a bag from Glastonbury.

After you did come, did I always deal with you?—Yes.

Had you used to go to both the debtors wards?—Yes.

And since Mr. Pike abused you, you have not come at all to the gaol?—No.

[Adjourned at half-past 1 P. M. till half-past 2 P. M.

The Commissioners re-assembled at that time.

Mr. John Robertson called in; and Sworn.

Mr. J. Robertson.

You are a surgeon of Northover?—I am.

Examined by Mr. Hunt.—How long have you resided in Northover?—About eighteen months.

Mr. Kinnear is a relation of yours?—Yes.

Did you come to Ilchester in consequence of his being here?—Partly so.

Were you introduced to Mr. Bridle's family with him?—I was.

Was Mr. Kinnear staying in Mr. Bridle's house?—Yes, during the first part of my being here.

Were

Were you ever witness to any high card playing between Mr. Bridle and Mr. Kinnear?—I have seen card playing to various amounts, from eighteen pence to five pounds. *Mr. J. Robertson:* (12 June.)

I mean when Mr. Bridle and Mr. Kinnear were present?—When they have been at the table together.

Was three-card loo played?—I have seen it played.

Have you seen it played so high that you thought proper to decline playing?—I have seen it played so high, that I have thought proper to withdraw.

Have you seen it played when there has been five pounds on the table at one time?—Yes.

How many were playing?—There were Mr. and Mrs. Bridle, Mr. Kinnear, Mr. and Mrs. Badcock, Mr. Every, Mr. Webber. I think that was all.

In that case, if the dealer had turned up knave of clubs, there would been thirty pounds lost at that time?—Yes.

Do you recollect, at any time last winter, meeting Mr. Bridle at the bar of the castle?—Yes.

What conversation took place at that time regarding the punishment of a prisoner?—I remember Mr. Bridle saying that a prisoner had had his head shaved, and a blister put upon it by way of punishment.

Do you recollect what it was for?—I do not recollect what offence it was for; but I remember he said it was for a punishment.

Did he tell this in the presence of several indiscriminately met together?—There were several there who heard it.

Did he say that a prisoner had had his head shaved, or that he had had his head shaved?—He said he had had a fellow's head shaved, and a blister put on.

Do you recollect being sent for to attend me for illness that I had?—I do recollect being sent for several times.

Do you recollect, that when you came, I complained of your not having come earlier?—I do recollect it on the first occasion of my coming.

What time of day was it when you then came?—In the morning, between nine and ten o'clock in spring time.

What situation did you find me in?—I found Mr. Hunt extremely ill, with violent determination of blood to the head, and concomitant fever.

Do you remember my complaining that I had sent for you at six in the morning, as soon as the doors were open?—You did name it.

And my stating what time I had been taken ill?—You said you had been taken ill long before the door was open, and had sent for me at that time.

What time did the messenger come to you, you live close by?—About ten minutes before eight o'clock in the morning. I live within five hundred yards of the gaol.

Was the message such as to induce you to hasten?—The message was, that Mr. Hunt wished to see me. It came to me through the medium of my servant, to my bed-room, and induced me to think that it was nothing of serious importance, and I took my breakfast before I went.

Do you recollect Mr. Kinnear saying anything?—Yes; he remarked upon my not coming earlier.

If you had known I was so ill as I was, should you not have come earlier?—Certainly.

You have attended me frequently since, will you state to the Commissioners what you have found my health?—I have found Mr. Hunt subject to a determination of blood to the head, which has produced indigestion and other concomitant diseases, particularly relating to the stomach.

What resource have you had to check that?—I have been obliged to pursue repeated bleedings to a very large extent.

How many times?—I have bled you three times.

To what cause do you attribute this illness?—Partly to a pre-disposition to the complaint, and partly to the confined state of the apartments you occupy, and the want of a free and pure atmosphere.

Do you remember that soon after I came here, Mr. Kinnear was removed to occupy the same apartments with me?—Yes.

You have frequently visited Mr. Kinnear in my apartments, and therefore can speak to the state of the apartments?—Yes.

Did you ever find Mr. Kinnear also affected by the confined state of the atmosphere?—I have very much, so much so that if he had not used medicine very frequently, he might have been subjected to very serious illness.

Can you state what has been the state of the atmosphere in my ward when you have been here?—Excessively close and damp.

So closely surrounded by walls, and so high as they are, is it possible to have a free circulation of air in them unless the wind is very high?—I question a free circulation of air in them, be the wind what it will, especially if the wind is accompanied with rain, the denser part of the atmosphere will necessarily remain within the walls.

Have you ever been in in winter when the walls have been saturated with wet?—I have been in at such time certainly.

Have you made any observation upon it?—The walls when there has been a considerable quantity of rain, naturally imbibe a considerable degree of moisture, which, when the sun or atmosphere when dry, acts on, emits a degree of moisture or humidity, which naturally finds its way downwards to the level of the ward, and consequently must be inhaled by the party walking in that space

Mr. J. Robertson.

(12 June.)

Have the walls in winter a very chilling effect?—Every degree of dampness has naturally a chilling effect.

Do you consider it altogether a place that a person may live in health or not?—Certainly not healthy.

Have you attended any other prisoners; any debtor?—Debtors and felons both, I have attended frequently.

Do you remember attending Davis, a debtor?—I do.

What state did you find him in?—I was called to him between two and three in the morning, and found him in a state of apoplexy, scarcely any signs of life in him.

Was he in the same room with other prisoners?—He was.

Did you attend him till he died?—I did.

Was he in a fit and proper place for a sick person?—Not in the state in which he was in he was not, nor for any individual that was ill.

What state was he in?—When I found him it was impossible to bleed him with any advantage to himself; I ordered stimulating medicines internally, with a view to increase the velocity of the circulation, and thereby to render bleeding a practicable measure; having put up the necessary ingredients and instructions for their use, I left him, and repeated my visit about ten in the morning. I then took off forty ounces of blood, but found, upon enquiry, that deglutition had been so impeded, that his medicines had not been swallowed or given to him. Having bled him and ordered other medicines for him, I left him. My third visit to him was in the evening; I found that in the interim, Mr. Valentine, the partner of Mr. Bryer, had seen Davis, and had judged it expedient to take more blood from him from the same orifice, and order a blister to his neck; I again bled him to the extent of thirty ounces more, with but little relief, and I believe about one next morning he died.

Were you the first medical person that saw him after he was taken ill, and the last that saw him before he died?—I was.

Were you called upon to give evidence on the coroner's inquest upon Davis?—No.

Were you called upon to visit a man named Treble?—Yes.

What state did you find him in?—I found him labouring under a severe inflammation of the chest, and great difficulty of breathing, approaching almost to suffocation, with extreme debility.

Was he in a proper situation for a sick man?—He was in a worse situation than Davis, with reference to the room.

Do you recollect whether there was a fire-place in the room, or not?—There was none.

How many times did you see him?—Only once; I believe he died the following morning; to the best of my recollection, it was so.

A man in that situation, confined from Monday till Wednesday, was that a proper place for him to be kept in?—It most certainly would have aggravated the disease under which he was labouring, the window being so extremely small, and no aperture for the admission of any air.

Had any other doctor seen him but you, after his illness?—I understood Mr. Bryer had seen him a day or two before I did.

As you were the last medical person that saw him previous to his death, were you called to give evidence on the coroner's inquest?—No, I was not.

Did you attend George Goodman?—I did.

To what do you attribute his illness; what was it?—Severe cold and consequent illness, produced by his attending Treble in winter without fire. When he was attending Treble, he was a stout healthy man; he himself, always attributed his first illness to cold from attending Treble.

Have you attended any person recently in the gaol?—I attended a felon on Saturday.

Was his name Gibbs?—I think it was; he was a mason.

Did you find him very ill?—Yes.

What was his illness?—Severe cholic, produced by constipation of the bowels, and cold together.

Did you trace that to any cause?—I conceive that many of the diseases in this gaol, owe their origin to poverty in living, especially upon water and bread, the latter of which not being of nutritive quality.

You have had an opportunity of seeing the bread, to know that?—I have seen it very often.

And you have no hesitation in speaking to the quality of the bread?—Certainly; nothing will produce disease sooner than indigestible food, be that animal or vegetable food, and much more when confined to bread and water.

Do you consider the bread that you have seen in the prison, to be indigestible or of bad quality?—Most certainly indigestible, and if indigestible, most certainly injurious to a certain degree.

Since you have been in Ilchester, what have you found to be the most prevalent diseases?—The generality of diseases in this neighbourhood, owe their origin to inflammatory action.

To what do you attribute that?—To the low situation of the country and the frequent inundation of part of it.

Supposing this gaol had good drains, and was well washed out with water, do you consider it would be unhealthy, or otherwise?—The situation of it is not the most desirable; it is too low to be peculiarly healthy.

But if the drains should be choaked up and not well washed out with water, what effect would

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would that have upon the inhabitants, supposing them not to be cleaned above twice in the year?—Most certainly to give rise to some pestilential or contagious disease; if not so great as to produce a pestilential disease, most certainly destructive to the health of any individual living in the gaol.

Have you found typhus fevers prevalent in this country since you came here?—I have had several cases of typhus since I have been here.

In Ilchester, have you had any case of typhus?—In the immediate neighbourhood I have, in Northover.

What is your opinion of the cause of typhus?—The low situation of the neighbourhood and frequent inundations; contagious diseases spread more rapidly in a low marshy country.

Cross-examined by Mr. White—You are quite sure you saw five pounds upon the table at the time you mention?—I am quite sure; there was a general loo of five pounds each upon the table, and it was objected to as being too much, and each took up their money, and then they went back again to eighteen-pence, and it was arranged that it should not exceed five pounds.

Was it fixed, that the whole sum upon the table should not exceed five pounds?—Yes.

Then you were mistaken in saying, that if the knave of clubs had been turned up, each person playing would have lost five pounds?—I am not mistaken in saying that, were there five pounds upon the table and the knave of clubs turned up, each party would be loo'd; that is the manner I have seen it played.

How do you reconcile that, by saying, that the sum was limited to five pounds?—That was after Mrs. Bridle had been loo'd.

What would have been the result of the knave of clubs being turned up, if five pounds were on the table?—That each person would have lost five pounds, and there would have been thirty or forty pounds upon the table, according to the number of persons playing.

But you say it was stipulated, that there should be no more than five pounds upon the table at one time?—After Mrs. Bridle had been remitted the five pounds, I understood them to say, that they would not exceed that sum, or play within that sum, or something of that sort.

Then how could there be thirty pounds upon the table after that arrangement?—There could not be thirty pounds after that arrangement.

Nor more than five pounds?—Certainly not.

Was it old Mr. Webber, or young Mr. Webber, who was present?—Old Mr. Webber.

Who did you say were the other parties?—Mr. and Mrs. Badcock, Mr. Kinnear, Mr. and Mrs. Bridle and Mr. Everey.

You are quite sure Mr. Bridle was present?—Yes, quite sure.

At what hour was your first visit to Davis?—I think about two in the morning.

When you came the second time to him, what did you say respecting his complaint?—I don't recollect that I made any observation.

Did you make light of it?—Certainly not; I thought the man was dying.

Then you did not say any thing about taking mad blood from him?—I said nothing of the kind.

Do you recollect the hour of your visiting Treble?—I think it was in the evening, to the best of my recollection.

Do you recollect meeting Mr. Bridle, as you went out, after visiting Treble?—It might have been so, but I don't recollect it.

Then you do not recollect his asking you, how the sick man was?—No, I do not.

Nor your telling him that there was not much the matter, and a good active dose was all that he wanted?—I have said that respecting other patients; but I don't recollect seeing Mr. Bridle on that occasion.

How many persons were there sleeping in the same room with Davis?—There were two other beds in the room.

Re-examined by Mr. Hunt.—Was that the occasion when the gambling ran so high that you declined to make one of the party?—To the best of my recollection that was the time.

You are quite sure that the game, as it was played, was, that if the knave of clubs was turned up, that loo'd the whole party?—Yes.

You understood that it was unlimited loo?—Yes, at the outset; and when Mrs. Bridle was loo'd, to the amount of five pounds, and the same remitted, I understood the loo to be confined to five pounds.

Five pounds being on the table, if the knave of clubs had been turned, and six persons were loo'd, they would each have paid five pounds, amounting to thirty pounds?—Yes.

There being thirty pounds on the table, and pam turned up, each person would have lost thirty pounds, supposing it to be unlimited loo; but under the arrangement, as you understood it, each person would have put down but five pounds?—Yes.

You don't recollect meeting Mr. Bridle as you went out after visiting Treble; if you had seen him at his bedside, should you have recollected it?—Yes.

Did you ever see Mr. Bridle at the bedside of a patient?—No.

Examined by the Commissioners.—Do you conceive the inflammation of Treble's chest to have been brought on by debility, or the debility to have been occasioned by the inflammation on his chest?—The debility to have been occasioned by inflammation on his chest.

Do you conceive, that in a disease of that nature, injury could have taken place to the patient from the want of such support as meat and broth?—If meat and broth had been administered, at a judicious period of the disease, it would in a great measure have prevented the debility, which no doubt hastened his dissolution.

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Do you recollect how many persons slept in the same room with Treble?—Two, I think; there were three beds I am sure in the room.

Do you conceive a person in that situation, would have been better situated in a room by himself?—Certainly.

Do you conceive it probable, that in the earlier stage of his disease, before you saw him, he would be in want of such things as would make it necessary for his nurse to have access to a fire during the night?—Most certainly, it would be of the greatest benefit to him.

Do you conceive it probable, that a person with the illness that he had during the earlier stages of it, might have his stomach in that state, that although he threw up vassed food like gruel, he might have retained, with advantage, food of a more stimulant nature, such as broth and meat?—Most cetainly, it would have been advantageous for him.

Did you find the sort of medicine in the surgery that was necessary for Davis, at the time you mention?—At that particular moment, I found what was necessary.

Has it ever occurred to you, in going to the surgery, not to find the sort of medicine that has been wanted?—It has occurred.

Were those medicines that you have not met with, those that are in daily use, or those that are but rarely called for?—They were medicines in daily use.

Judging from the effect of medicines that you have made up at the surgery, have you found them good of their sort?—My experience has been so limited on that particular point, that I should not like to give any opinion upon it.

Do low marshy countries, subject to frequent inundations, upon the flood going off, and the exhalation from the ground taking place, produce diseases, in the beginning inflammatory, and ending in what are called putrid?—Yes, certainly.

If a person goes into the drains upon an empty stomach, or having taken nothing but bread, is he liable to suffer materially from it?—Yes, very materially.

Would his danger be less if he were supplied before he went in, with food of a stronger nature?—If he was supplied with a proper quantity of animal food, and a moderate quantity of stimulating liquor, the danger would be much less.

Were you present when Davis died?—No.

I think you saw him about seven or eight in the evening?—Yes.

He might have lived, for aught you know to the contrary, till seven or eight the next morning?—He might, but it was not probable he would live that time.

Were you present at the time when Treble breathed his last?—No, I was not.

How late did you see him?—About ten or eleven o'clock in the evening, I think.

He too might have lived till eight or nine in the morning?—There was no more probability of his existing till that hour, than there was of Davis.

As you were not present when either of those parties died, how came you to take upon you to say, that you was the last medical person that saw either of them?—Because I was informed so by the attendants.

William Marshman called in; and Sworn.

W. Marshman.

You are a prisoner in this gaol?—Yes.

How long have you been so?—Three years and two months, last Sunday.

What was your sentence?—Seven years transportation.

Are you still under sentence of transportation?—Yes.

Examined by Mr. Hunt.—Do you know how it was, you were not sent to Botany Bay?—Mr. Bridle came into the ward and asked, whether I would rather be sent off, or have my sentence changed to imprisonment; I said I would rather be imprisoned.

Did he give you to understand what time you were to be imprisoned?—He told me sometime afterwards, three years and a half.

Did you go to work?—Yes.

How long after, did he say something to you on the subject?—About six months; I asked him to raise my wages, I am a weaver; he said I should set up a mute face, when he should turn me at liberty at the end of three years and a half.

Did he give you to understand that he had the power of sending you off, or commuting your time to three years and a half?—Yes; and he has threatened me several times to send me off.

Did you believe that he had the power of sending you off at any time he liked?—Yes.

Did you also believe that he had the power, at the end of the three years and a half, of giving you your liberty?—Yes; I always thought so.

Have you been punished since you have been here?—Yes; I was hand-bolted, before trial nine or ten days, with my hands before me.

Had you irons on also?—No, not before trial.

Were you ironed after trial?—Yes.

Did you work in irons?—No; my irons were taken off when I came out to work.

Do you know why Gibbs, who had the same sentence as you, had always had an iron on?—No.

Do you understand that Mr. Bridle kept him here to work the same ashe kept you?—Yes.

Then have you taken care to do nothing to offend Mr. Bridle?—Yes; nor any of the officers, since I have been here.

Did you know weaving before you came here?—No; I have learnt it since.

Were you ever sent down into the drains?—Yes; I and Gibbs have often been sent.

How came you to be sent down?—Because, as I had a good while to stay, I should know every part of the sewers.

Did

W. Marshman.
(12 June.)

Did you chuse that occupation, or where you compelled to do it?—I was compelled to do it, or else I should have been locked up.

You have a bad cold, how came you by that?—I have not been well since I went down the last time.

Did they give you any meat or drink before you went down?—No.

What state were the drains in?—In some places the filth was up to my middle; one of us (a boy of the name of James Neuf) fell down in it, and was not able to get up till some of us went to assist him.

What would have been the consequence if none of you had been there?—He would have been stifled in it.

Have you ever known the factory stand still?—Yes, several times, for a week at a time, and a fortnight at a time, for want of flour to make starch for the chains.

How many looms have been standing still in consequence?—Seven.

How many hands were standing still at the same time?—Seven men and four or five boys.

Is flick used?—Yes.

Have you ever seen shoes made in the shoe-maker's shop for any of the officers?—I saw a pair of shoes, cut out by Marsh from the leather in the shop, for Mr. Pike.

Does a boy named Strut work in that shop?—Yes.

Have you ever known him taken out, after being locked up, to do any work?—Yes, by Mr. Pike, to stab a piece in (mend) his boot.

How old is he?—Thirteen years.

Where did he get the leather to do it?—He brought it out of the shop.

Are the boys allowed to take any thing they are working with, worsted for instance?—No; if they are found with a bit of worsted in their pockets they are locked up for it.

Was there any punishment inflicted upon the boy for taking leather to stab Mr. Pike's boot?—No, Marsh gave him the leather.

Have you any thing else to mention?—I was locked up once for five days for going into another shop to put a man's work in harness, who could not do it himself. A man must be a good weaver before he can put the work in harness.

Had you no other punishment than being locked up?—Mr. Bridle threatened to send me off.

Did you ever complain to a magistrate?—The day after I was locked up I sent a note to Mr. Bridle, begging him to forgive me; and Mr. Bridle sent me word by Pike that he would not forgive me, but would send me off; when I was forgiven, I was had before Mr. Moody.

You never complained to a magistrate of any thing?—No, not since I have been here.

Have you been constantly afraid of being sent off?—Yes; I have been afraid of doing any thing, or saying my soul was my own.

Cross-examined by Mr. White.—What were you hand-bolted for before trial?—For going to the fire and toasting a bit of cheese. A man pushed me back; I asked what he did that for. He made no more to do but went out and knocked for me, and Mr. Bridle came to the hole; and the man said I was saucy to him. Mr. Bridle said to Treganza, "take him out to the lodge." I went on my knees and begged his pardon. I had the hand-bolts put on me, and was ordered into the ward, and I remained there nine or ten days.

How came they off at last?—Mr. Bridle came to the railing and I begged him to forgive me, and he forgave me.

When those persons stopped in the factory for the want of work, were they not employed at any thing?—No; they bided in the shop.

How do you know that Strut went to stab Mr. Pike's boots?—I saw him out of my cell window, and Marsh told me so next morning.

Did Marsh see Strut do it?—Yes, and sat up with him in the kitchen.

Marsh told you of it, and Marsh is here now?—Yes.

And you know nothing about it but what Marsh told you?—No; only I saw the leather taken out of the shop, and Marsh told me it was used about Pike's boots.

How do you know the shoes you saw Marsh cut out were for Pike?—I saw Mr. Pike with the same shoes on, and Marsh told me they were for Mr. Pike. I saw them taken from the shop before they were bound, and I saw Pike afterwards give them to Gundry at the lodge, to take them down to the shop, to have the holes punched in them.

How do you know that the shoes you saw Mr. Pike give to Gundry were the same shoes that Marsh made for him?—Because they were pricked through the sole with the awl.

Did you examine them?—Yes, I looked at them before they went out of the shop, and after they were brought back by Gundry.

And you swear they were the same shoes?—Yes.

When you were taken before Mr. Moody, what passed?—Mr. Bridle told Mr. Moody I could work as well as a man that had served seven years to weaving; and I begged Mr. Moody's pardon, and then I was forgiven.

In consequence of what Mr. Bridle said you were forgiven?—Yes.

Re-examined by Mr. Hunt.—You were kept the ten days in handcuffs, without being taken before a magistrate?—Yes.

Examined by the Commissioners.—When you were locked up the five days, you are sure you did nothing more than going to assist a man in his work?—No.

John Trayt called in; and Sworn.

J. Trayt.

Are you a prisoner in this gaol?—Yes.

How long have you been so?—One year last March.

How long are you to stay?—Till 27th next March.

J. Trayt. (12 June.)

What were you tried for?—Misdemeanor.

Examined by Mr. Hunt.—Were you punished for any thing?—Yes; for playing hustle cap with two of my fellow prisoners, for a half penny each.

What was done with you?—We were taken out and double ironed and handcuffed, two and two together.

How long were you kept in that state?—Two days; but at night the handcuffs were taken off, and we were then handcuffed singly. I wore the double irons five or six weeks. One of my fellow prisoners caught two of them while they were handcuffed together, playing again at hustle cap, and reported it; we were then put from two and two, and our hands bolted behind us, and were kept four or five days, handbolted behind by day and before at night.

What magistrate ordered this?—I never saw any magistrate at all.

When were your handbolts taken off?—After three or four days. There was another prisoner slept in the same cell, and we had great difficulty to make our beds with the handbolts on.

How long did you continue with the double irons on at work?—I was not at work; all this was before trial.

How came your irons to be taken off?—The mayor of Yeovil and another gentleman came to see me; and I was taken into the governor's house; and afterwards Mr. Bridle ordered one of my irons to be taken off.

When was the other iron taken off?—Not till after I was tried.

Was you tried in that iron?—Yes. Robert England who was acquitted had irons on as well as me.

Do you know whether England was tried in his irons?—Yes, he was.

Cross-examined by Mr. White.—Do you know what was England's offence?—About a watch, on suspicion.

You were charged, I believe, with a capital offence?—Yes.

And that was the reason of your being in irons before trial?—No; when I was first taken in, the governor ordered that I should not have any irons at all.

What was the offence you were charged with?—I was charged with a rape, of which I know no more than any body here did.

It was on a child under ten years of age?—Yes.

Who was the attorney employed against you?—There was none, I believe; but Counsellor Williams was employed against me.

Examined by the Commissioners.—During the time that you had the double irons and handcuffs on, did you take your clothes off at night?—Yes, my trowsers were cut, to enable me to take them off, and tied with string.

During the four or five nights that your hands were handcuffed behind you, could you take off your clothes in any way?—No; and when I went to the privy, my fellow-prisoners were obliged to assist me.

When your hands were fastened before or behind, were you permitted to take off your clothes?—The handcuffs were taken off at night, while I took off my clothes, and then they were put on again before. I wish to say, that all my letters are opened.

[Adjourned at half-past 6 P.M. until nine to-morrow morning.

WEDNESDAY, 13th JUNE 1821.

The Commissioners re-assembled at 9 A.M.

Jane Hobbs again called; and Sworn.

Jane Hobbs. (13 June.)

Examined by Mr. Hunt.—Did your husband keep the occurrences in Mr. Bridle's absence?—Yes.

Do you know whether he entered them in the Occurrence Book as they took place, or in any other way?—No, he kept them on paper; and when Mr. Bridle came home he looked at it, and sent for my master when it was convenient to enter them in the book.

Do you know whether he entered them correctly from his memorandum, or whether they were altered?—I have seen some struck out of the paper with a pen.

Some of the occurrences struck out?—Yes.

Do you know the reason of his not entering them in the book day by day?—Because he was not allowed to write in that book till Mr. Bridle had seen them.

Elizabeth Wilkins again called; and Sworn.

Elizabeth Wilkins.

Examined by Mr. Hunt.—How many of you had your hair cut off?—I can mention four names; there might be eight or nine.

Was this done by Mr. Bridle's order?—Yes.

Was your hair returned to you?—No; nor has not been since.

And this was done without the order of any magistrate?—I saw no magistrate.

Do you remember one of the women crying about it?—Yes; Hannah Sampson, who had a fine head of hair, flaxen hair, and she cried and lamented the loss of it very much.

Was

Elizabeth Wilkins.

Was any thing done to her for crying?—She was put in the stocks for it; she was the only one I ever knew put there.

How long have you been out of the laundry?—Three years and a half; I have had the care of the women's ward ever since. (13 June.)

Were you in the ward when Sarah Hewit was brought out of the house?—I was in bed; Mrs. Hobbs called me, and told me to take care of Sarah Hewit during and after she was put to bed; she was in the same cell with me.

Did she sleep in the same cell with you alone till she was put to bed?—Yes; and afterwards.

Did she ever communicate to you who was the father of the child?—Yes.

How soon after did she tell you?—Before the morning.

Did she continue to communicate the same to you afterwards?—Yes; until within the last month.

Who did she first and last, up to that time, tell you was the father of the child?—Mr. William Bridle, the gaoler.

How long is it since you had any private interview with Mr. Bridle?—Since this investigation begun.

Since you were at my room to have your deposition taken down?—Yes; since then.

Do you know whether Sarah Hewit had a private interview with Mr. Bridle before you came to my room?—Yes; the afternoon before.

How came you to ask to see Mr. Bridle?—Sarah Hewit persuaded me.

When you saw Mr. Bridle, what took place?—I came to the house, and saw him in a room by himself.

Did you or he speak first?—I don't know; but the first thing he said was mind I did not send for you.

Well?—So I said I had no friend, and I had heard that something was going to be done for Sarah Hewit and me, and I came to inquire about it. He told me what he said at first he should say last; he said they that would be friends to him he would be a friend to them. I spoke about Sarah Hewit's child, and said the child was like him; and one word brought on another; so he smiled, and did not say it was or was not.

What else was said?—I can't recollect every word that did pass.

What did he say about the child?—That the child was not a disgrace to any father. Nothing passed that induced me to think he was not the father of the child.

Was you in the laundry when there was any dancing or music in the back yard?—I was in the wash-house at the time.

Could you, by standing upon any thing, look over the boards, and see the dancing, and did you see it?—Yes; and the rest of the women did the same.

Did Mr. Bridle dance?—Yes; he danced with Miss Culliford, now George Bridle's wife.

Did you dance in the laundry?—No; I had too much on my spirits to dance in the gaol.

Examined by the Commissioners.—Who began the conversation about the child when you were with Mr. Bridle?—I can't say; there was a good many words passed.

Was there much said about the child?—There was a good many different words passed.

Elizabeth Summers called in; and Sworn.

Elizabeth Summers.

You are a prisoneer in this gaol?—Yes.

How long have you been so?—Four years in August.

Was you sentenced for felony or misdemeanor?—Felony.

What was your sentence?—Transportation for life.

Examined by Mr. Hunt.—Do you know why you never went?—I believe the doctor said I was not in a fit state to be removed.

Were you healthy when you came?—Yes.

Were you one of the women who had their hair cut off?—Yes.

Charles Frederick Williams, Esquire, called in; and Sworn.

I believe you are a barrister?—Yes.

And living where?—In Stone Buildings, Lincolns Inn.

Examined by Mr. Hunt.

C. F. Williams, Esq.

Do you recollect calling upon me soon after last summer assizes?—I was on a tour, and called with my nieces to see the gaol, and hearing you were here, I asked Mr. Bridle to let me see you.

Did Mr. Bridle bring you and your nieces to my ward?—He did. The truth is, I had been frequently of counsel for you; and being so near you, I thought I ought to call and see you. Mr. Tuson, a gentleman of this town, accompanied us.

I believe you found me in bed, unwell?—I did. When I went in, I asked for Mr. Hunt; upon which, you called from a room above, desiring me to walk up, which I did, and found you in bed. It was so late in the day, that I did not expect you were in bed, or I should not have taken the liberty to have gone up.

Had you heard, at that time, that I had been excluded from seeing my female friends in that room?—I think I was in the King's Bench, when a motion was made respecting that exclusion.

If you will recollect, it must have been before you went to Taunton; the motion was made in Michaelmas term?—I think I had not heard of it until Mr. Hunt told it me, on this occasion, with considerable agitation of feeling. I had heard a rumour of it in the town.

C. F. Williams, Esq.

(13 June.)

Was it in consequence of my being in bed, that I was deprived of the honour of seeing your nieces?--Yes. I beg leave to say, that my nieces came here to see the gaol, and not from any idle curiosity of seeing Mr. Hunt. I wished to shew them a gaol of some celebrity, and when here, it occurred to me that Mr. Hunt was confined in it.

Was it the fact, or was it not, that you not only wished to see me yourself, but also to indulge the curiosity of the young ladies to see me?—I had no intention, when I entered the gaol, of indulging the curiosity of the ladies, as it respects Mr. Hunt. After I was here, it occurred to me that it would appear unfeeling in me, who had known Mr. Hunt formerly, and had been several times of counsel for him, to pass by the spot of his captivity, and not inquire after him. Upon my mentioning his name, I think the ladies said, "Is that the celebrated Mr. Hunt?" I said yes, and I was going to speak to him. Then, for the first time, they expressed a wish to see him. When I entered the sitting-room, I asked, in a lofty tone of voice, "Is Mr. Hunt here?" or, "Where's Mr. Hunt?" A voice said from above, "Here I am; pray walk up, sir;" or something of that nature. I went up-stairs, and the ladies and Mr. Tuson staid in the room below. Mr. Bridle was in the room below, with the keys, with which he shewed us round the gaol, in his hand. Mr. Hunt said afterwards, "I do not regard my imprisonment, but something has deeply affected me;" and he then shed tears. He spoke very firmly until he mentioned that females had been excluded seeing him, and then he was very much affected. I shortly after left the room.

When you expressed a wish to see me, did Mr. Bridle express any disapprobation of it?—None at all.

Cross-examined by Mr. White.—Had you given any previous intimation of your intention to visit the gaol to the gaoler?—No; it was merely accidental.

You went over it?—Yes; great part of it.

In what state did you find it as to cleanliness?—So much so, as to be strikingly observed by every person present. In some parts, the prisoners were drawn up for the inspection of the different parties.

What was their general appearance?—My visit was very transient; but the decency of their appearance, and the decorum of their conduct, struck us all; so much so, that I remember the eldest of the ladies saying, "Why, these poor creatures don't look at all miserable; "they seem all cheerful. I thought a prison a different sort of a place."

You might, from motives of laudable curiosity, have visited other prisons on the circuit?—Never; except Dorchester. I defended a major in the army for fighting a duel, which led me to Dorchester gaol. And, now I recollect, I once saw Salisbury gaol. I once saw Gloucester gaol, but it is so many years ago, that I have but a feeble recollection of it. The other two I remember well; I am ignorant of the regulations of either; my only observation was directed to the cleanliness and decorum of the prison and the prisoners. As far as I could judge, I thought Dorchester gaol more airy and better situated than this is; but in neither were the prisoners so decorous in their behaviour, or so decent in their appearance, as here. I think I have seen this gaol four times; three, certainly.

And at each of those times was your opinion the same respecting its cleanliness, and the decorum of the prisoners?—Yes; but I should say, that once when I came with Sir John Acland, they were in some measure prepared; but on the other occasions I came wholly unexpectedly.

In the course of your professional avocations on the circuit, you must have necessarily observed the conduct of the different gaolers?—Yes, in court only.

Have you had frequent opportunities of observing the conduct and demeanor of this gaoler?—Nothing more than humanely putting in papers for the prisoners, and stating circumstances in their favour; I have remarked the prisoners beckon Mr. Bridle to them, and make him the medium of their communication with counsel, which he has done with considerable readiness and humanity, but that's all.

Then have you ever observed any misconduct or impropriety of behaviour in Mr. Bridle, as the gaoler of this county?—I have had no opportunity of witnessing his conduct as a gaoler, except in open court, his conduct there has been most attentive and correct, and his communications with the prisoners very frequent. It would be an unjust delicacy, on my part, if I did not add, that for the eleven or twelve years that I have known Mr. Bridle, his general character has been that of an exemplary and efficient officer.

Re-examined by Mr. Hunt.—Had you ever an opportunity of looking into the interior of the gaol, so as to speak to its cleanliness?—Certainly not the last time. It was transient, for this reason, I was afraid, amongst the description of persons that are here, some words or actions might take place that might be offensive to the ladies; but the conduct of the prisoners was really exemplary; once I came with Sir John Acland and examined it most minutely; he asked the prisoners privately, whether they had any complaints to make, and if they had to mention them to him.

The last time that you were here, did you visit the interior of the solitary cells, to see whether they were clean or not?—No.

Then, for aught you know, those cells might have been very dirty, and they might have been each of them inhabited by persons having blisters on their heads, or with strait-waistcoats on?—For aught I know they might, I never saw them.

If, in going round the prison, you had found a man confined in one of the solitary cells with a blister on his head, and a strait-waistcoat upon him, without the knowledge of the magistrates, what would have been your opinion of Mr. Bridle then?—I should have thought it highly improper.

If

C. F. Williams, Esq. (13 June.)

If you had found the prisoners without feet to their stockings, and having worn them many months together, should you have had the same opinion of the prison that you had before?—Not if it had been of frequent occurrence; I certainly have spoken in warm eulogy in different parts of the kingdom of the general decorum and cleanliness that I have met with in different parts of this prison, and if it were not cleanly and decorous generally, I have been deluded. At Dorchester I was attended by a turnkey only, but there were two magistrates with me.

Were the two magistrates with you upon all occasions?—No, it was not the sort of visit I paid here, and the prisoners were not so decorous as they were here.

Should you not think it inhuman for a man to refuse to assist the prisoners in court, as you say Mr. Bridle has done?—I should, certainly; but there is a different way in doing it in different men; and I have seen others do it not so promptly as Mr. Bridle has.

You, I believe, are employed professionally for Mr. Bridle?—Yes.

John Phelips, Esquire, again called; and Sworn.

J. Phelips, Esq.

Examined by Mr. Hunt.—Were you present when the poor debtors box was opened, some time since?—I was.

How many locks did you find to it?—I think there were three locks.

Do you recollect how many keys?—I think six, two to each lock.

Do you recollect who produced those keys?—As far as I understood, they were brought into this room as coming from the gaoler.

Did you, when sheriff, give any sums of money to be given to the poor prisoners?—Yes; I gave ten guineas to Mr. Bridle to be given to the poor prisoners; I saw a paragraph of thanks to an unknown gentleman in the Sherborne paper afterwards.

Do you recollect how long that is ago?—It was either in 1814 and 1815, or 1815 and 1816. The shrievalty runs into two years.

Have you lately had an opportunity of examining that book (the charity book), commencing October 1809?—There is no mention in the book of it, because I desired Mr. Bridle not to enter my name in order that it should not be made a charge upon my successors.

Is there any anonymous entry in the book of ten pounds?—No, nor any entry of my name for ten pounds.

Cross-examined by Mr. White.—The paragraph you saw in the papers immediately after your donation, and you considered it to refer to your donation?—Yes; it was just after Christmas, I remember.

Have you the slightest suspicion that it was not distributed as you had ordered?—No, I remember telling Mr. Bridle to give it to any prisoners that he thought were deserving.

Did you not order it to be put into the charity box?—No, I had not the least intention it should.

On the contrary, you ordered it to be immediately distributed?—I meant as a Christmas donation, it was about that time I gave it.

Re-examined by Mr. Hunt.—It appears in this book, that John Everard, esquire, gave ten pounds in 1818, and it does not appear by any entry, that the box has been opened since July 17th, 1817, did you find ten pounds in the box?—No; the whole sum found in the box, was about six pounds nineteen shillings; it was under seven pounds.

Charity book. Subscriptions deposited in a box affixed in the turnkey's lodge in Ilchester gaol, for prison charities.

Since the last opening of the box, July 17th, 1817, the following sums are entered as received:—

	£.	s.	d.
John Everard, esquire, high sheriff - - - - -	10	0	0
Mr. Ring, of Wincanton - - - - - - -	1	1	0
Cash of Colonel Elford - - - - - - -	1	0	0
1818, July 11th.—A bet won at the last election - - -	2	0	0
£.	14	1	0

You saw the box opened the other day?—Yes, and took the money from it.

Do you recollect what notes were in it?—I think there were three one pound notes in it; there were three shilling-pieces, and all sorts of money.

What was the object of having three locks?—What I understood is, that a key of each lock should be in different hands.

Perhaps you can tell how the keys are distributed?—The sheriff told me he gave the keys of one lock to the clerk of the peace, and the keys of another to the debtors, and those of the other I believe the sheriff has himself.

Is it the impression upon your mind now, that the ten guineas you mentioned were distributed as you intended?—Yes.

Have you any means of knowing whether that paragraph was sent by the prisoners or by the gaoler?—No.

T. Phelips, Esq. (13 June)

Examined by the Commissioners.—Should you have expected that any entry of the sum of money would have been entered in the book, entitled "Subscription, &c. for prison charities?"—When I gave Mr. Bridle the sum of money you allude to, I intended it for the prisoners generally, and I conceived the box as intended for poor debtors only.

In what year did you give this money?—Christmas, 1815, I think.

And recently after you had given it, you saw a paragraph in the paper thanking an unknown gentleman for a donation to that amount?—I think the amount was stated. I think it proper to state, that I have intrusted Mr. Bridle with other sums, for the purpose of getting a debtor discharged, but I did not intend it to be known here. Which I know has been done, because I have been thanked by the debtor for it after his discharge.

Was that money given for a particular person?—Yes.

Did you ever inquire of Mr. Bridle, or did Mr. Bridle without any inquiry, communicate to you how he disposed of that money?—I never hoped to have heard a word upon it.

Then Mr. Bridle would best have consulted your feelings by not communicating any thing to you upon the subject?—Certainly, and would have obeyed my directions.

If you wished to know how that money was applied, where should you apply for information respecting it?—I should ask Mr. Bridle for it.

Elizabeth Summers, Re-sworn.

Eliz. Summers.

Did you consider your hair being cut off as a great punishment?—Yes; but I was told it was the rule of the gaol.

But was it cut off for any particular offence?—It was for cutting my cap.

Do you remember music and dancing in the back court?—Yes.

Were you in the laundry at the time?—Yes.

Did you women dance in the laundry?—No.

Have you ever had the typhus fever in the gaol?—Yes, in December, as I came in in August.

You were in the infirmary with several other women, perhaps?—Yes.

Were you very bad in the fever?—Yes; they did not expect I should live.

While you were in the infirmary, had you plenty of good things and wine?—No, we had no wine at all.

How long were you there?—Eight weeks.

Had you plenty of meat and broth?—The doctor ordered meat for us, but we did not have it so regular as we ought.

Did you ever complain of not having had the meat that was ordered?—Yes, to the doctor.

What did the doctor say?—He said, he did not know how it was, he would speak about it.

Was the meat always good that was sent you?—At that time it was.

Have you been ill at other times?—I had the typhus fever again in the January twelvemonth after; I was carried down behind on a bed by four men.

At that time had you any wine?—No; I had a little panado sent by Mrs. Bridle several times.

Had you that time plenty of meat and other things?—No; what was ordered by the doctor we did not have.

Was your meat at that time always good?—No, it was not always fresh.

Have you generally ill health now?—Yes.

Were you unhealthy before you came to the prison?—No; I was always in good health before I came here, and for months after.

Have you continued to suffer from ill health ever since?—Yes; but for the last two months I have been better than I was since I was ill, and that I think is owing to a drop of beer that the doctor allows me.

Do you attribute your present unhealthiness to any particular cause?—Yes, to the typhus fever.

Cross-examined by Mr. White.—You say the meat was not fresh that you had?—Yes.

This was in January?—Yes.

And that was the time you say the meat was not fresh?—Yes.

Might you not from your illness have fancied that it was not fresh?—It was not fancy; the meat was not fresh.

[The body and neck irons were produced for the inspection of the Commissioners.]

[Occurrence-Book, Friday, October 25th 1816: Saturday, October 26th 1816.—"A. Moody, esq. visited and inspected the gaol (no mention made respecting "Fudge being in body-irons)."]

Richard Pike called in; and Sworn.

R. Pike. (13 June.)

Examined by Mr. Hunt.—Has the gaol been inundated more than once since you have been here?—No.

Was that the winter before last?—I believe it was.

Was it pretty high then?—It was thirteen inches and a half in the lodge.

How long did it continue up?—I think not more than five hours.

Could any person come to the gaol then unless on horseback, or in a boat?—No; a person came on horseback to serve a declaration.

When there is a flood the water here is particularly muddy?—Certainly.

Have you known many of the wells pumped dry?—Yes, frequently.

The flood did not come up to Mr. Bridle's front door?—No, not quite.

There is but little water in the wells in summer time?—There can be but a small quantity, they are so soon pumped out.

Mr. *Hunt* stated that he had now closed his case.

[Adjourned at 1½ P. M. until 10 A. M. Friday morning.

THURSDAY, 14th JUNE 1821.—The Commissioners assembled at the Castle Inn.

The Reverend *John Valentine* called in; and Sworn.

Rev. J. Valentine. (14 June.)

Examined by the Commissioners.—I believe you are the chaplain of Ilchester gaol?—Yes. I was appointed 30th April 1821.

You were appointed at the quarter sessions?—Yes, at Wells.

Who did you succeed?—Mr. Reece.

What is the attendance you give at the gaol?—The attendance is now only once in the week, and that on a Sunday, unless any particular duty requires a more frequent attendance.

What are those particular duties that require a more frequent attendance?—Visiting the sick, if any one requires it.

Any other?—Attending executions.

Are there any other duties that require your attendance?—I have been so recently appointed that I am not well acquainted with the gaol; but any duty that a clergyman in his own parish would perform, I conceive I am bound to execute in the gaol.

In the attendance that you have given to the gaol since your appointment, have you conformed to what you understood was performed by your predecessor?—Yes.

Is the service performed in the gaol more than once on a Sunday?—Not at present.

Is a sermon preached on the Sunday?—Yes.

Is the service on Sunday in the morning or the evening?—It is sometimes morning and sometimes in the afternoon.

Is there any stated time in the day, whether morning or evening, at which service is performed?—At ten in the forenoon, and half-past one or two in the afternoon, which may be most convenient.

In fixing the hour how do you determine which is the most convenient?—I have taken it at present as may be most convenient to myself, on account of my other engagements.

Have you since your appointment received any application from sick prisoners, to give your attendance upon them?—No, I have not.

Has any person called upon you to visit the sick?—No.

Have you then thought it necessary to visit the gaol in the week days, and to make inquiry whether any sick prisoners were desirous of seeing you?—No; I expected that if any sick person wished to see me, I should be sent to: I have called frequently at the gaol, but heard of no such person.

I believe there were some persons lately executed here?—There were.

How many?—Two.

How long were they in this prison after sentence was passed upon them previous to their execution?—I believe three weeks.

During that time what attendance did you give to them?—Every day, except one Monday, when I was obliged to attend the magistrates at Wells, and on the Sundays, when they attended chapel, and I had not time to give them a private attendance: sometimes I saw them in their cell, and sometimes in the chapel.

During your visit to those unfortunate persons, were you alone or were any other persons present?—Sometimes I saw them alone, and sometimes in the presence of one of those persons who were in attendance upon them.

Who were those persons to whom you allude?—There were two prisoners appointed to attend upon them, one of them was always with them except when they retired and left me alone with them. Those persons relieved each other every four hours.

Have you ever given your attendance upon any prisoners who for punishment have been confined in solitude?—No, I have not.

Did you attend the execution?—I did.

Rev. J. Valentine.

(14 June.)

Administered the sacrament?—I administered the sacrament to those unfortunate young men on the morning they suffered.

Your present residence is where?—At Martock, five miles from hence.

Do you not find considerable inconvenience in residing so far from the gaol?—I have not found any great inconvenience from it. I have always left word with the governor and turnkeys, that if I was wanted they should send a person for me immediately, and that I would satisfy that person for his trouble.

Have you in contemplation any alteration as to your attendance upon this prison?—My intention is to reside in this place in September. I have engaged the Reverend Mr. Whalley's house, (the parsonage-house). I have proposed to the magistrates to read prayers from September on Wednesdays and Fridays if they sanction it. It was a voluntary offer of my own. And I likewise proposed to establish a school, and to pay some attention to the school, if the magistrates will sanction one. It is my intention to pay every attention to the moral and religious instruction of the people in the gaol, as well as to visit the sick every day if they require it.

Do you mean by the term, if they require it, if they send for you, or if you shall deem your presence beneficial or comforting to them?—I should frequently visit them without being sent for.

Do you consider it to be consistent with your duty, as chaplain, to keep a watchful eye over all that passes under your observation in the gaol; and if you observe any thing that is not correct, to inform the visiting justices of it?—Most undoubtedly.

Then do you not think it a very important part of your duty frequently to visit persons in solitary confinement, and to watch the effect that it may have upon their minds?—I should like to do it; but whether as chaplain I have a right to do it I cannot say. It would afford me an opportunity of talking to them, and I might then say things to make a lasting impression on their minds.

Have you in the discharge of your clerical duties found that the generality of persons are more fitted to receive religious instructions when labouring under sickness and depressed by misfortune?—I think so. I have uniformly found, that persons labouring under sickness and depressed by misfortunes, are more susceptible of good impressions than the generality of persons under other circumstances.

Have your proposals respecting the additional attendance, and respecting the school, been acceded to by the magistrates?—I was informed by Mr. Goodford that they could not take those proposals into consideration during this investigation.

Do you keep any journal?—I have not hitherto. I never heard that Mr. Reece did; if he had, I suppose I should have continued it; but I am to keep one in future, as required by the magistrates. Mr. Reece did not hand over to me any journal.

What is your salary?—£.120 per annum, to cover every thing hereafter. There is to be service twice a day on Sunday, according to my agreement with the magistrates; but I expect no increase of stipend for the service on week days; that is a voluntary proposal of my own.

Have any arrangements been made for placing in your hands any books of religious instruction for circulation among the prisoners?—No; but I intend to speak to the visiting magistrates on that subject.

Do you know what was Mr. Reece's salary?—£.70 for single duty.

Did you learn from him what was the duty required of him by the county?—That there was an alternate duty morning and evening, and I was to execute all the duty that he performed, and particularly to attend executions.

It is part of the chaplain's duty not only to attend executions, but to prepare the minds of persons previous to that taking place?—Most undoubtedly.

We understood that the assizes are holden for the county sometimes at Taunton and sometimes at Wells, and sometimes, I believe, at Bridgewater?—I believe so.

Do you of your own knowledge know the distance of Taunton from Ilchester?—About twenty-four or twenty-five miles.

Do you know the distance from Ilchester to Bridgewater?—No, I do not.

The distance from Wells?—About eighteen miles.

Are you aware that in cases of conviction for murder the execution must take place within forty-eight hours afterwards, unless Sunday intervenes?—I have heard so.

Do you understand whether executions for murder take place at the town where the judgment takes place, or not?—I understood that all executions in future are to take place on the drop at Ilchester.

Perhaps you have heard that heretofore executions for murder have taken place at the town where the sentence has been passed?—I have, or near the town.

Supposing, therefore, that the chaplain of the gaol should reside at Ilchester, or in its immediate neighbourhood, he must, if the execution took place at the town where the judgment for murder was passed, have gone prospectively, or must have been sent for expressly, for the purpose of rendering that consolation and that attention which a condemned criminal would under such circumstances require?—Most assuredly.

Would

Rev. J. Valentine.
(14 June.)

Would not that arrangement be extremely inconvenient; for if the chaplain were taken prospectively to the county town, he must of necessity, during his absence, be incapable of performing his duties in the gaol at Ilchester; or, if he were not to be sent for till after judgment were passed, the time for sending the messenger to the chaplain, and the time necessary for the chaplain to resort to the criminal, would be so much taken from the short space which in cases of murder is allowed to criminals to receive spiritual consolation?—Certainly.

When you say you understood that all executions are in future to take place at Ilchester, do you mean that those for murder are to take place there also?—I understood so.

Should you not think it highly inconsistent with the tranquillity so necessary for criminals under sentence of death for murder, to be hurried off in a caravan or other carriage four or five and twenty miles before they can receive the religious attentions of the chaplain?—I should conceive so.

In addition, therefore, to this disturbance to the mind of the party, is to be added the loss of time so precious?—Yes.

Do you find the chapel, when crowded, very hot?—I have not served it during the hot part of the year; I have perceived a sort of closeness when it has been crowded, and the windows not opened.

Are you enabled to see each person that is in the chapel?—They are all within my view; but some I do not see distinctly on account of the lattice-work.

Can you inform us whether all classes of prisoners attend divine service?—I cannot say; I presume they do as they have been accustomed to do. In the journal that is to be kept by the chaplain, the magistrates require that the absence of every person is to be marked in future, and the conduct of those present at divine service, as well as the attendance or absence of the officers; the performance of divine service is to be regularly entered, with any other remark which I might have to make; the sacrament is to be administered four times a year, and divine service is to be performed on Christmas-day and Good Friday.

Has the sacrament heretofore been administered at the usual periods?—I understood it was by the late chaplain, if there were a sufficient number of communicants.

Are the women separated from the men in chapel?—Yes, they are, indeed; I believe they are incapable of seeing each other.

Can you state whether in chapel the female debtors are separated from the female criminals?—I cannot say.

Should any inconvenience be at present experienced by the debtors in consequence of the time of divine service not being so precisely fixed as to enable them to regulate their hour of dinner, so as not to interfere with that of divine service, could any arrangement be made to obviate that inconvenience?—After Midsummer the morning service will be at half past nine, and the afternoon service will be at half past one and two o'clock alternately.

Have any rules, regulations or other written instructions for the conduct of the chaplain been furnished to you?—I never received any; but of course I expect to learn before Midsummer what my instructions are.

Have you understood that any such were furnished to your predecessor?—I am not enabled to say.

Have you been furnished by the magistrates with any book for the purpose of being used as a journal?—I have not; I intended before Midsummer to call on some of the magistrates to talk with them about this journal.

What ecclesiastical duties do you now perform besides that of being chaplain to the gaol?—I perform the duty of Long Sutton and the parish of Tintinhull; but I give up that of Long Sutton at Midsummer.

After that period, what will be the duties that you will then have to perform in addition to that of chaplain of the gaol?—The single duty of Tintinhull, which is about two miles and a half from Ilchester. I beg to remark, that I have received a letter from the clerk of the peace, stating that a journal is to be kept, and what it is to contain: so far I consider that I have received instructions.

Have you received any other instructions?—I have not.

DEFENCE.

FRIDAY, 15th JUNE 1821. The Commissioners assembled at the Gaol at 10½ A. M.

Mr. *Bridle* handed in a written defence, which he requested might be read by his solicitor, Mr. *White*. The same being read,

Sir *John Palmer Acland* was then called in; and Sworn.

Sir J. P. Acland. (15 June.)

I believe you are a magistrate of this county?—I am.

For some years you acted as chairman of the quarter sessions?—I did.

Were you occasional visiting magistrate?—Yes; the chairman is always a visiting magistrate of each of the gaols of this county.

Examined by Mr. White.—How long have you been a magistrate of this county?—I suppose forty-three or forty-four years.

How long were you chairman of the quarter sessions?—From January 1805 to July 1820.

Then it was that you resigned the chair?—Yes; after having given previous notice.

Before your health induced you to resign the chair, had you taken great interest in the welfare of Ilchester gaol?—Certainly.

Did you frequently attend in the gaol to inspect the interior, and to examine into the conduct and condition of the officers and prisoners?—I did.

To enable you to possess yourself of the government and transactions of the prison, what time did you generally or frequently consume in your inquiries and examinations?—Sometimes six days following, and sometimes two days. I have an account here of every day of my attendance during the whole time; it is copied from my memorandum-book.

Please to give the Commissioners a general idea of the length of time you occupied in inspecting the gaol, and the number of times?—I live thirty-six miles from hence; I attended the first year, 1805, six days after the month of September; 1806, twenty-four days; 1807, fifteen days; 1808, twenty days; 1809, eleven days; 1810, fourteen days; 1811, thirteen days; 1812, thirteen days; 1813, fifteen days; 1814, thirteen days; 1815, ten days; 1816, twelve days; 1817, two days here, and six at Wells, during the time of the fever, to give instructions; 1818, seven days; 1819, four days; and 1820, two days. And you will see by the latter its gradations, that my attendance decreased as my infirmities increased upon me: for the last three or four years I was literally unable to do my duty.

I need hardly ask if, on those occasions, your inquiries were minute and diligent?—My habits were to go over the gaol with the governor, or without, as might happen; I then sat down to learn the history of what had been going on, by comparing it with the correspondence that had passed between me and Mr. Bridle since my last visit; inspecting what had been going on in the way of repairs; examining into the whole state of the building, and consulting with him what could be done as to the security of the gaol and the comfortable accommodation of the prisoners. I then sat down and went through the Occurrence-book, and examined into every particular as to the supplies that had been ordered and appropriated to them; if any prisoner's name was mentioned by way of complaint or punishment, I went through the case; and if occasion required, I sent for those prisoners the following morning to examine them myself, or to wait for the presence of visiting magistrates, if they were coming by previous notice, or by the regular holding of the gaol sessions, which was held four times a year preceding each quarter sessions; sometimes I used to remain the first evening of my coming till eleven or twelve o'clock at night; on public occasions the clerk of the peace was often present. In this way I went through the whole concerns of the gaol, and if I found any thing that required explanation I investigated it, to satisfy myself that all was going on right. I used to go into all the wards of the prison to ask the prisoners if they wished to see me in private; to inspect the state of their apartments and bedding, and always supplied them with every convenience, and reported to the magistrates that came the following day what I had done, and what the necessities of the prison required. I inspected the Magistrates Journal to see what orders had been given, if any, by them, in order that we might draw together, whether absent or present, in the salutary object we had in view. I here staid as long as I had any reason to think my attendance necessary, and corresponded occasionally with magistrates, and constantly with the governor, as to what was going on in the gaol, and the good order thereof; and it was always my practice to answer first such letters as I had received from the gaoler, to the neglect of my own concerns. In addition to this, a fortnight's report was made to the three visiting magistrates of the state of the gaol, as to the admission or discharge of prisoners, as necesssary information to the magistrates, and as a check upon the gaolers for the regularity of their conduct in making the receipt and discharge of prisoners; and it became my duty

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to see that the debtor and creditor account agreed as to numbers, and that the prisoners were discharged properly. I saw also that there was a proper distinction made between calendar and lunar months.

In this manner the magistrates went on, examining into and keeping a check upon the governor's conduct?—I always charged the governor to communicate to me most freely any thing that occurred to him for the better regulation of the gaol, in its buildings, and the comfortable accommodation of the prisoners, at all times; and if ever he heard of a complaint among the prisoners, upon any account whatever, to redress it immediately if it required instantaneous interference, and to wait upon a visiting magistrate to inform him of the same, and to request his presence at the gaol; and he was ordered to communicate the same to me, always telling him that timely prevention was better than cure; and never found him remiss in his duty in those particulars, or concealing any thing from me. This was the general tenor of my conduct, individually and collectively, when accompanied by other magistrates, for the regulation of the prison concerns.

Did you on your visits address your attention to the condition, clothing and personal appearance of the several classes of prisoners?—I always inspected the clothing in wear and that in store, and if any articles were wanting, immediately ordered a fresh supply.

Were you acquainted with the state of Ilchester prison, in respect of the building and to the conduct and condition of the prisoners, before Mr. Bridle was elected governor?—Yes, I was.

Was the accommodation then equal to that at present?—Certainly not.

In point of clothing or personal cleanliness of prisoners, what was the state when Mr. Bridle first came, compared with the present?—I almost forget whether we had any gaol clothing or not, whether all the prisoners did not provide their own clothing; there was no washing in the gaol for the prisoners; at the time I first came here in 1805, all the lower apartments of the debtors ward were occupied by the then governor (Scaddins), as a cow-house, stable and strawhouse; there was a small room below occupied by the debtors, the other part was a thoroughfare to the privies, which smelt so offensively as to be incapable of being occupied as a sitting-room; the lower part of the debtors ward, on the south against the wall, had a deep ditch which had very often stagnant water in it; the debtors lived in small rooms above stairs, fenced off by slabs and partitions, in which they lived, men, women and children altogether; so that in one year I took an account of twenty-six children running about the gaol, belonging to their parents within. In what is called now the work-yard, on the south towards the river, there was the same sort of ditch, as a protection to the outer boundary towards the river; there was only one well of water in the gaol for the prisoners use, and that was the present well in the lower debtors court, and all the prisoners in the gaol had common access to this well, where there was a pump for their supply of water; there was an engine where the present workhouse is, for the supply of water to the gaol from the river, by an aqueduct from the mill, and there were stone cisterns in different wards of the gaol for the supply of water from thence; but the supply of water from thence was given up because the prisoners would not use it, but took the water from the well mentioned, in preference: this I think was the general outline: there were five different wards or divisions at that time, and continued to the time of Mr. Bridle's appointment. We had no prison labour at that time in the gaol. Upon Mr. Bridle's coming, a reformation was set about; we began sinking wells in different parts of the prison, and converting the aqueduct into a sewer for cleaning the privies and wash-houses of the gaol; and this afforded us the opportunity of setting the prisoners at work.

The question is, in point of clothing and personal appearance of the prisoners, what was the state of the prisoners when Mr. Bridle came, compared with the present, there being no clothing nor washing?—The whole of the gaol and the prisoners were very dirty; they washed their clothes and hung them out to dry as they could; some could afford to send out their clothes to wash, and they complained of the nuisance occasioned by others washing.

On Mr. Bridle's appointment, was that state of things continued, or materially improved or altered during the time of your visiting the gaol?—Certainly, our first object was to create personal cleanliness and employment. In the course of the progress of our labours we established the laundry and wash-house; but prior to that building being erected, I think the female prisoners were employed in their own ward in washing as a temporary convenience.

What character did you receive with Mr. Bridle when he was a candidate for the office?—I, on the part of the magistrates and the sheriff, applied to Mr. Graham who had the command of the hulks, I believe, at that time, for his character, and he gave us a most admirable one; and he added, if he had not offered to leave his service, he would have given him the command of a hulk, he being at that time only in a subordinate situation. No character could be better, otherwise we should not have selected him out of I think twenty-seven candidates for the office.

Who originated the system of industry and manufactures in Ilchester gaol?—Mr. Bridle suggested as a better expedient than employing people from without the gaol to do the laborious

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laborious work within, because he could have a command over his own men and none over strangers; and he would be answerable for their security, as he was pretty conversant with that sort of work, having had the employing of so many convicts under his command, and taking them perpetually to their work on shore from the hulks. All the laborious work of the sewers were done by him, as the people offering to contract for building refused to have any thing to do with the works under ground, without an enormous charge, which Mr. Bridle said he could do for little with his men. And the condition of our contract was, that the contractors should give their estimates only from the surface of the ground; and the labour that was performed by these means was immense; I think they went down ten or twelve feet, and the outer boundary wall of the gaol was built in the river by means of the prisoners. Mr. Bridle suggested, that by means of a shoemaker in the gaol, he could introduce that trade; and by putting apprentices to the shoemaker, he would undertake that we should never lose it. By similar means the manufacture of cloth in all its branches was introduced by prisoners belonging to the respective branches of trade, who offered their services, and to train people up to it, hoping, that if they performed their duty to the prisoners, he would recommend them to me for a remission of their sentences, or an actual pardon; and I gave Mr. Bridle permission to make these assurances, that if they kept their word I would, upon his recommendation, keep mine; and I did consequently recommend many persons to the Secretary of State for pardon, which had the best possible effect upon all people teaching and learning trades in the gaol. One old man, between seventy and eighty, to whom I promised a pardon, consented to remain in the gaol a month or two longer than I promised him, provided I would but send him home before the expiration of his time, that he might go home with the credit of being liberated for his good conduct, and thus redeem his character in his neighbourhood. In this manner we proceeded in getting the better of idle habits, encouraging industry, rewarding merit, and making the people happy. And I can say with truth, it was surprising to see the change which this system introduced into the gaol; and without the exertion and the readiness of the governor, this could not have been accomplished.

Have industry and manufacture increased since he had the appointment?—Increased exceedingly. Mr. Bridle turned his hand and mind to every part of labour. The ignorant who knew nothing were employed as labourers in excavating earth, bringing in materials of stone, whilst those of better talents were employed in polling, in breaking and performing different parts of masons work. All men that had been bred originally carpenters, or who could turn their hands to it, followed that branch of trade; and thus it was that in a very short time we were enabled to do without any contractors at all, and performed every branch of work in the gaol, except plumbing and glazing and the heavy branches of iron work. I think Mr. Bridle always selected the different prisoners to be set to the different branches of work, according to their abilities and the time they had to remain in the gaol, so as to give them the opportunity of learning any particular branch; and we have sent out a great many workmen much better able to obtain their bread by labour than when they came in. I have a common carpenter, by improvement in gaol, is now at the top of his business in the cabinet line, and he was twelve months in this place. I trust him in any part of my house among valuables, without the least check upon him; and I have known similar instances of people being quite reformed and improved by the habits and discipline of the gaol. Women in particular, if they come quite ignorant of the needle, sewing or knitting, or any branches of the wash-house or laundry, will be perfectly able to earn their bread in six, nine or twelve months, according to their capacity.

[Adjourned at 1 ½ P. M. until 2 ½ P. M.

Sir *John Palmer Acland* again Sworn; and his Examination resumed by *Mr. White.*

To whose attention and perseverance, under the support and patronage of the magistrates, do you mainly attribute the progress and improvement of the system of labour and manufactures in this prison?—To Mr. Bridle's.

Was it your habit at all times, when you visited the gaol, carefully to inspect the Magistrates Journal, the Occurrence and other books of the gaol?—I believe I before stated that it was my habit to sit down and examine the Journal and Occurrence-books, the Surgeon's book, and all the books relating to the discipline of the gaol.

Did you, or did you not, usually make inquiries and seek information of Mr. Bridle, the officers and prisoners, as to the transactions recorded in those books?—Whatever observation occurred to me I made to Mr. Bridle; and as I said before, I sent for the prisoners to inquire into the circumstances of their behaviour. If in my judgment they merited reproof, I always represented to them the folly of their misconduct, and that it would be ultimately visited upon them whenever their conduct in gaol should become matter of consideration in making up the judgment of the court in case they should be found guilty. I always had a report made to me upon a private calendar as to the conduct of the prisoners in gaol, that in case anything could be said in their favour in mitigation of punishment, they might have the advantage of it, both before the judges, or myself as chairman; and I generally, when I had an opportunity of lessening their punishment by a favourable report of their conduct in gaol, made a public observation to that effect in passing sentence. And

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I have often spoken to prisoners afterwards; I told them, that as they had received the benefit of mercy by their former good conduct in gaol, I hoped they would inform others, that it might have proper effect on them also. And I have often charged them collectively in prison, of the advantage of good behaviour, and that Mr. Bridle would not fail to report it to me if they deserved it; and many have said to me, we know it. If they behaved ill at any time, or were contumacious, I have often told them that I could not consider their case until they behaved better. *Sir J. P. Acland.* (15 June.)

Who first suggested the Occurrence-book?—Mr. Bridle brought the pattern of it from the hulks, and recommended it to me; and I directed him to get a book for that purpose by a stationer, and it was done.

Was he in the habit of making to you a report of the state of the gaol?—He was bound to do it weekly at first, and afterwards fortnightly, according to the pattern which I drew out.

Besides the formal report, did you sometimes or often receive letters which showed industry and attention from him?—In every report he generally made observations, and communicated to me by letter upon every occasion that occurred to him to be necessary, and I constantly answered him.

Can you produce any of those letters?—There are three bundles; they are from 1808, when he begun, to 1820; and whenever I was from home, I always ordered those returns to be made to me, and similar communications to be kept up, and no interruption given to the proceedings of the gaol by my absence from home; and this was not confined to Mr. Bridle, but extended to the keepers of the houses of correction also at Shepton and Wilton.

Are those letters very numerous?—There are vast numbers of them.

After thirteen years intimate knowledge of Mr. Bridle, what opinion have you formed of his humanity towards prisoners?—I always found him very humane and considerate to them all; and if he could suggest any thing to me at any time in their favour he always appeared to me ready to do it. He would constantly recommend prisoners for pardon for good behaviour, and sometimes I have been obliged to check him, and said stop a little, I have so lately applied to the Secretary of State in favour of others that I must rest a little before I apply again. In one instance I applied to the Secretary of State to receive two boys into the Penitentiary in lieu of transportation, which could not be done from the fulness of the Penitentiary; and upon stating this to Mr. Bridle, he said, "can't we make a penitentiary "in prison by putting them to trades?" In consequence of which, I wrote to the Secretary of State, to say, if he would have the goodness to suspend the order for transportation, I would bind them to separate trades; and if they behaved well, in two or three years I would apply to his lordship for a pardon.

Have you ever known Mr. Bridle obstruct or intimidate a prisoner when he was making a complaint or petition?—When I went the rounds with Mr. Bridle, he would often say to me, sir, here are some prisoners that want to speak to you; and when they were called and pardoned, he would call them by name to come and speak to the chairman, and they invariably came; and if it was matter of any import, I had them brought into the house to me: but I never knew him reject the application, or offer any thing by way of obstruction to my seeing a prisoner; I always considered him the prisoners friend, sick or well.

I scarcely need ask you whether, if you had witnessed such conduct in Mr. Bridle or any of his officers, you have suffered any attempt at obstruction or intimidation?—The circumstance never did occur; and if it had, I should have thought it very improper conduct in him.

In your inspection of the gaol, did you include the solitary cells?—I always went to the solitary cells when there was anybody in them; most generally visited the refractory and the solitary cells up stairs; I am not aware that I omitted it. I have often told them, that if they promised to behave well to Mr. Bridle that I would, upon his representation, let them out, which I have often done before I left the gaol. I remember a circumstance of coming here at a time when six people were under sentence of death, just after the assizes. Mr. Bridle told me they wished to see me, and hoped that I would do something for them if I could, for they seemed very penitent. I went to them, and found them apparently very penitent, and extremely anxious that their lives should be spared. I told them it was not in my power, I feared, to do anything for them, but that if they had any friend who could intercede for them, nothing would be so likely to assist them as a good character from the governor in gaol before and after trial.

Did you or not uniformly encourage the prisoners to prefer any complaints which they might have to make?—A notice is always sent to the different wards of the gaol to say that either one or more magistrates were ready to hear any prisoner upon any matter that he had to complain of; and when I have gone into the wards myself, I have always told the prisoners so, and that the magistrates were ready to receive any complaint from quarter to quarter of any prisoner against any person whatsoever in the gaol, whether fellow prisoner or officer; that was our rule in the gaol, to receive all complaints from one gaol session to another, on purpose that people might have an opportunity of making complaints whilst

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those were in the gaol who were competent to investigate their complaints. I do not know that I went out of the gaol in my life without sending that message, that I was here myself or that other magistrates were.

[*See Printed Rule.*]

Did any prisoners either personally or by letters ever complain to you of the badness of the stockings, or the neglect of the washing?—No, I never recollect any; I have gone into the wash-house and seen them washing stockings, and have seen stockings thrown upon the pavement of the laundry court to dry; and I have seen women in the laundry I think making and mending stockings.

If by neglect of washing, or by worn-out feet of stockings, the prisoners feet had been excoriated so as to engender corrupt and offensive smells, when you went from the open air to the wards should you or not have noticed it?—I was very jealous of the cleanliness of the gaol, and should have noticed any offensive smell, and inquired into the cause of it; I always, when I visited the wards generally, opened the privy door and looked at the urinals to observe that they were clean and wholesome; and I always ordered them to be washed down by buckets of water. Once going into the wash-house, I observed an offensive smell, and asked Mr. Bridle the reason of it, whether it arose from the water-closet; and he told me no, it arose from washing the stockings, which was the operation of that day's wash; and I think that was the only time that I met with any offensive smells. I always charged the constables to keep the windows open of all the day-rooms, and would find fault with the constables if ever I found them shut.

Do you remember an instance of lameness from excoriated feet?—I never heard of any. When I looked into the store-room I always asked if there was a good supply of stockings, both for this place and the bridewells; and I never would allow the stores to decrease without giving orders for their replenishment. I think, finding there was a great population in the gaols, I introduced knitting into Wilton and Taunton gaols, in consequence of there being a difficulty of supplying them all from hence.

Who suggested what is called the shop?—That was done, I believe, by conference between Mr. Bridle and me. We had at first messengers to go into town for the supplies, and to take orders from the prisoners for their different wants; and the turnkeys wives were appointed the messengers, with at first a remuneration of one shilling a day between them, but that was not found sufficient to supply the growing necessities of the population of the gaol; and Mr. Bridle told me that he thought by issuing hand-bills country people could be induced to bring in potatoes, meat, and other articles for sale to the prisoners, and he was directed to do it accordingly; and it was found to answer.

Is the mode by which prisoners are supplied now, more commodious and beneficial to the prisoners than the arrangement before Mr. Bridle was appointed governor?—There was no supply of the kind before. Debtors wives and children lived in the gaol, and of course went in and out for what things they wanted; and when restrictions were put upon them, it was to obviate difficulties that arose in consequence that those arrangements were made before the establishment of the shop.

Was it difficult to get tradesmen and others to venture into the gaol with their commodities?—I can only answer that by the former answer; debtors were supplied by their wives and children. Mr. Bridle has told me, that unless the people were protected from bad money they would not bring things into the prison; and I ordered upon that, that an officer should stand by and see justice done. That system was brought about in consequence of a suggestion of mine relative to what I saw in Gloucester gaol, where there are visiting windows.

Has it been the practice, since you gave the order, for an officer to accompany the people with the shop?—I believe so; I have seen it when I have been here at that hour, and I have seen it when I have seen people come in with potatoes and meat.

After thirteen years knowledge of Mr. Bridle, and numerous transactions with him, what is your opinion of his integrity?—I believe him to be a perfectly honest man; I never knew a cause to excite a suspicion, in my mind, to the contrary.

Does your knowledge of him enable you to say whether he is of a greedy or covetous or of a generous disposition?—I always thought him very generous and liberal.

Do you remember any acts which mark his disinterestedness?—I do not recollect any particular facts marking his disinterestedness; I never knew him rapacious; he never appeared to me to be greedy. The county was to have furnished this room, and one below, but it never was done; this was intended for the committee-room; and when it was done he was to have the use of it, when it was not used by the county; I believe there was an order given for the purpose, but it never was furnished; the magistrates used the room below as being convenient; and he told me once, I never had this or the room up stairs, sir, furnished by the magistrates; my own carpet is worn out, and I hope the magistrates will supply me with another; and I think I told him to refer his case to the magistrates when they met.

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Do you know whether any charge was ever made upon the county for those articles?—I can't say with respect to the carpet, whether he made any application or not; I can't say but it will appear in the books. *Sir J. P. Acland.* (15 June.)

From your long knowledge of Mr. Bridle, what is your opinion of him as a private man and a public officer?—As a private man I think him a very worthy man, and as a public officer he is the best calculated for his situation of any man I know, or have known; I shall make no scruple of being bound for him in any situation that he may go to, for his integrity and good conduct.

From whom did you receive those papers?—They are indorsed by myself; I received them from Mr. Baron Wood; the judge delivered them into my hands, and desired I would examine into the charge.

[*Petition of debtors read*; dated August 31st, 1810.]

Have you seen Mr. Bridle in trying situations, where authority is necessary to be exerted?—I don't know any particular instance; any man's situation in a gaol is a trying one, but I do not call to my mind any particular situation; such as provoking irritating language I have heard from prisoners.

Have you had opportunities of witnessing his care and attention to prisoners during their sickness?—He always appeared, when I have gone to visit, very solicitous about them, and kind in his inquiries, but I recollect no particular instance. With regard to seeing him in any trying situation, I remember, at the time of the typhus fever breaking out in the gaol, I went to Wells, and fixed myself there five or six days; he had the whole care of bringing up the prisoners to the assizes, and that of fumigating the courts. I sent him to the judges of assizes at Exeter; that was for the purpose of ascertaining whether the judges under those circumstances would suffer the prisoners to be brought to trial. He came backwards and forwards to me to fulfil those duties. He was employed to take a house near Taunton, out of the town, for his prisoners, to keep them separate from the others, and he was to conduct them there, and to keep them separate, and to bring them up to the courts. This was all to be done in the course of five or six days, and he performed all that service with extraordinary activity and certainly great diligence, and this was repeated by bringing the prisoners to the Summer assizes, and to the Summer and Easter sessions. He certainly performed all these duties with very great credit to himself.

Cross-examined by Mr. Hunt.—I believe, sir, you paid very devoted attention to the concerns of this gaol for many years while you were chairman of the quarter sessions?—I did.

You stated that latterly your attendance slackened, and that you were for some time literally unable to perform your duty?—Not with that activity that I did before domestic affliction and ill health occasioned it.

Since that period can you say what magistrate or magistrates have exercised that control which, before, was exercised by yourself?—There were always three visiting magistrates.

There were two visiting magistrates besides yourself as chairman?—Yes.

Since you have been unable to attend to it so minutely yourself, has it been left to two visiting magistrates, to the period of your resignation?—It was in a great measure left to those visiting magistrates, but I carried on a correspondence with Mr. Bridle, and visited the gaol three separate times in 1818 and 1819.

How long have you resigned the situation of chairman?—July session 1820.

Do you know whether your successor has followed your laudable and praiseworthy example?—I do not know.

Then for nearly the last twelve months you cannot speak from your own knowledge of the state of the gaol?—I cannot.

You do not know whether, at the last three or four gaol sessions, the prisoners have had an opportunity of stating their complaints to the magistrates?—I was not here, and of course I do not know.

Did it ever happen that a prisoner had written to two gaol sessions, requesting to be allowed to state his complaints, without having an opportunity to do so?—I have no recollection; it does not occur to me that it did.

If you had attended at the two Easter gaol sessions, and I had an application each time to have an interview, would it have been permitted?—I don't know that; I never refused admission to any prisoner to me; I don't recollect it.

You have stated, that you examined the bedding; how often should you consider it proper and necessary to have the straw changed?—Upon my word I really cannot tell.

Should you conceive it wholesome that a man should lie upon his straw bedding until the straw was worn into chaff or dust?—Certainly not.

Should you consider that the gaoler did his duty if he suffered men to lay on their beds three or four months without the straw being changed?—No; I should have ordered it to be changed oftener.

How often should you consider it essential that prisoners should have clean linen?—Once a week.

Sir J. P. Acland.

(15 June.)

How often should you deem it essential to health that prisoners should have their worsted stockings changed?—Once a week.

How should you say the gaoler had performed his duty if he suffered men to go with the same shirts on three or four weeks together, without washing?—I should say that it was not the intention of the magistrates that it should be so.

Should you consider that the gaoler had done his duty if he had permitted the whole of the men to wear their stockings three or four months together, without washing?—I should not have approved of it, certainly; I should say it was wrong.

If the gaoler had been in the habit, within the last twelve months, of allowing the prisoners to wear their stockings from the time they were put on new until they were worn out, without being washed at all, should you in that case say that he had performed his duty either to the magistrates or to the prisoners?—Certainly not.

Do you understand it to be the duty of the gaoler and the officers to see that the prisoners keep their persons clean?—I don't know that it was ever chalked out that the gaoler should see that every prisoner had his face washed, if you allude to that; but if he had seen any persons dirty, I conceive it to be the duty of the officers to remonstrate with them, and cause them to make themselves clean.

Do you not consider it the duty of the gaoler to see that the whole of the prisoners are kept in a clean and wholesome state?—Certainly, it ought to be.

Did it ever come to your knowledge that every prisoner in Shepton Mallet gaol is obliged to wash his feet every Wednesday?—I am not aware of it.

Do you not consider, that in a community of persons, frequently three hundred in number, confined within the narrow space of one acre of land, and wearing thick worsted stockings during their labour, that some regulation should be had to make them, in some given space of time, keep their feet clean?—If it had occurred to me, I certainly should have proposed it.

Do you not think that it would have suggested itself to any efficient officer who had the safety and comfort of the prisoners at heart?—It never suggested itself to me, and I don't know why it should to an officer. If I had known that it was done at Shepton I should have had it adopted here.

In an establishment of this sort, is it not the practice to leave a great deal of discretion and power in the hands of the gaoler?—Certainly; he is bound to notice the exercise of it, and I always inquired; I meant in allusion to cleanliness. I conceive that a pump being in the yard, people would keep themselves clean; but it would be open to the gaoler's observation if they did not keep themselves clean.

If it is your opinion that people would always resort to pumps to keep themselves clean, why were you so jealous in looking to the cleanliness of the prisoners?—I meant that if I observed that a room was not properly swept out, I was always particular to inquire why it had not been done.

How often should you consider that the prisoners blankets should be changed?—I should think when they become soiled. I conceive that Mr. Bridle, or persons in his situation, would be more likely to know when they ought to be changed than I could be. I never saw any soiled blankets, or smelled any thing offensive in any of their cells.

Is there not a rule that the gaoler should visit the whole of the gaol, and inspect the bedding and see that it is well aired?—Yes.

How should you say that the governor had performed his duty if he had not inspected some parts of the gaol for three, four or five months together?—Not having complied with the rule, he acted wrong, of course.

If you had known from your own knowledge that the governor had not inspected some parts of the gaol for six months together, should you have had the same opinion of him that you expressed in a former part of your evidence?—I certainly should not have thought that he had done his duty in that instance, and that he had not conducted himself properly, and would not have given him credit for that vigilance which I thought he had observed.

Did you ever inquire into the state of the drains?—Yes; I used to do so; and I thought that in the former state they were not calculated to cleanse themselves as after they were improved; and I thought, from the amazing supply of water running through them, that they kept themselves clean, and finding no smells in the gaol, I was not apprehensive to the contrary. In general, on coming to the gaol, I used to look over the wall to see whether the water ran through them; and I have gone as low as the stable to look at the drains just below the stable, and it appeared to me that they did keep themselves clean.

When you made those inquiries, was it stated to you that they kept themselves clean?—I thought latterly they washed themselves clean. Before they were improved, when there were floods, mud was carried into them, which was obliged to be cleaned out; but latterly, there was so large a current of water through them, that I thought they kept themselves clean.

Then you were satisfied with your own occasional observation, without any representation being made to you on the subject?—I believe I may have said to Mr. Bridle why these drains keep themselves clean.

When

When you said so, do you recollect that he ever represented to you that they were otherwise?—No; I don't recollect. *Sir J. P. Acland.* (15 June.)

If he had represented to you that they did not keep themselves clean, and that the filth was accumulated in them for six months together, should you not have taken steps to have that rectified?—Certainly.

Do you know what fall there is in the drains from the entrance to the outlets?—No; but I should suppose there is sufficient for a brisk current of water.

Was that work executed by Mr. Bridle?—Mr. Bridle did the work of the drains. I don't know whether there was any level taken. We could get no greater fall than from one part of the river to another. In the debtors ward the level was increased so as to bring the water under it.

Had Mr. Bridle the ordering those drains, or was there any architect employed in constructing those drains?—There was a Mr. Gill, who was employed as a surveyor of the bridges, and I think he was employed to excavate; and he was the person to superintend the work, Mr. Bridle finding the prison labour, and setting the people to work; and Gill assured me that there was a proper fall for carrying the water that way. I said in the morning, that we went to the greatest possible depth in the western part of the gaol; and the reason of that was, to obtain the greatest possible fall for the water.

Did you take the water from the high-water-mark at the mill head, or from the low-water-mark at the mill tail?—From the tail of the mill; and when the mill goes it forces the water through our drains instead of down the river.

Could you not, by going a little farther, have increased your fall several feet, by taking it from the mill head?—Yes; but we could not obtain it; objection was made to our going higher. I was perfectly satisfied at the time that the supply of water so obtained was fully adequate to cleaning of the drains, with the occasional assistance that might be required from manual labour if any obstruction should at any time appear; and the drain is left of sufficient height for that purpose.

Small as is the current of water down the drain, could not Mr. Tuson, by giving up ten guineas a year, deprive the gaol of any water?—He can't; he has granted it by deed, and the grant is either to the clerk of the peace or to the trustees, for the use of the county. Mr. Gill, at that time, thought it was fully sufficient.

Have you water at all times when the mill is going, or not?—All the water that escapes from the mill must go through our drain, except when a large stream comes down and goes over the fender. When the mill is not going, and any water escapes over the mill head, we have the advantage of it; but it is not a strong stream.

Does the water that goes over the fender come down your drain?—It can't; it goes into the river.

Have you ever been informed that the water that comes in in those times washes principally out through the drain in the debtor's ward, and that only a small part of it goes into the other drains of the gaol?—There was a contrivance made there on purpose to prevent the drain through the debtors yard from robbing the general drain of more than its own proportion of the water, and I never knew that that object was defeated. When the drain in the debtors ward was run upon such a level as to clean both those houses, that machinery was fixed up in the drain.

Did Mr. Bridle ever inform you that a great portion of human excrement remained in the drain for six months together, till it came as deep as two feet?—I am not aware of it. I have not been made acquainted with it.

If you had been made acquainted with it, should you not have taken every possible means to remedy the defect?—To be sure I should.

Do you know whether the report to the magistrates every fortnight has been continued since you resigned your situation?—I don't know.

Should you not consider it the gaoler's duty particularly to visit the sick prisoners daily?—Yes, when he is present.

If it should prove the prisoners have become sick, have lingered and died, prisoner after prisoner, and that he should have never visited them to administer to their wants, or to inquire after them, should you consider that he was remiss in his duty?—Certainly.

If it should be found that Mr. Bridle had placed a man in solitary confinement, had tortured him by placing a blister upon his head for punishment, and had placed a straitwaistcoat upon him to prevent him from relieving himself from the pain inflicted by the blister, and should have kept him in this solitary confinement for a month together, without communicating it to any magistrates whatever, should you then say that he had been an able and efficient officer, and had conducted himself humanely towards the prisoners?—If all these supposed cases should turn out to be facts, there is no one can vindicate him.

But should you say that he was an able and efficient officer, and had conducted himself humanely towards the prisoners?—Certainly not.

[Adjourned at 7 P. M. until 9 A. M. to-morrow.

SATURDAY, 16th JUNE 1821. The Commissioners assembled at the Gaol at 9 A. M.

Sir J. P. Acland.

(16 June.)

Sir John Palmer Acland again called in; and Sworn, said, I beg leave to amend a part of my evidence yesterday, with regard to the mill. I went to look at the site yesterday: as to the waste water, it does not come down into the tail of the mill when the mill is not going. I wish to state also, that at the time the aqueduct was meant to be converted into a sewer, it was thought by all persons considering the subject at the time that it would answer for that purpose as far as it was then carried (to the female infirmary); and when the workshop was projected to be built, it was considered that it might be beneficially extended under that building, so as to carry off all deposit made therefrom; and when the contract was making with Mr. Tuson for the supply of water for the gaol through the sewer, it was considered that there was a sufficient supply of water for the purpose of cleaning the drain. I constantly, when I came to the gaol, inspected the outlets of the drains into the river to see if water was discharged from them; and from that circumstance, and finding no unpleasant smells arising from the privies, I always considered that the sewers discharged every thing through them properly. If I had ever found reason to have suspected the contrary, I should have made it the object of my particular inquiry, and applied any remedy that should have been proper on the occasion.

Cross-examined by Mr. Hunt.—Have you had any reason since to alter your opinion as to the supply of water, and as to the drains cleaning themselves?—When I heard of defect imputed to them, I said to a friend; "I shall wait till I find that proved, because I think "there is a sufficient supply of water through them to cleanse them;" and not until yesterday, when I went out of the gaol and looked at the mouth of the drain, was I aware that the water did not pass through them as usual.

Then up to yesterday, Mr. Bridle had never communicated to you that the water did not pass?—No.

It never has been communicated to you that the floor of these drains is in a very imperfect state, and that there is as much current backward as forward in some of them?—I was not aware of it: if I had been aware of it, I would have endeavoured to apply a proper remedy to prevent its degenerating into an inconvenience, as we had always an ample supply of prison labour for that or any other purpose.

Can you state whether last night there was any water passing down the drain from the mill?—Yes, there was.

In what quantity; was there a sufficient supply for cleansing the drains of the gaol?—The water did not appear to enter the drain as it did formerly; more ran over the fender.

Did you ascertain whether the water, almost the whole of it, passed out at the first drain, or whether it went on to the others?—There was a stream issuing out at the first drain, but not out of one or two others below. I went to the end of the stable, but I can't undertake accurately to say what water flowed out of those drains below, as I could not stay long enough, or descend so as accurately to examine.

Supposing the human excrement had been found to have accumulated in these drains, how often should you consider it necessary to have cleaned them out by prison labour?—As often as it might have been necessary.

Should you consider that the gaoler had done his duty to the prisoners if he had suffered this to have accumulated for a whole half year without being cleaned out at all?—Is not that question answered by the last?

Do you know whether there are any cold or warm baths in prison or not?—There are none.

Do you know if there were any before the alterations when Mr. Bridle came?—There was a large cistern in the front lodge, originally intended for a bath; but it had never been used as I know of, and there was no apparatus for supplying it with water. It was not intended for a hot-bath, and we resorted to the expedient of washing the prisoners, on their entrance into gaol, by a supply of hot and cold water from buckets; and, as we found that to answer the purpose of cleanliness, we converted that apartment to a visiting-room for felons, intending, when the ground should be taken in in the front of the gaol, to construct proper baths by a supply of water from the river, and to heat the same by copper vessels and stoves.

How long have you had that in contemplation?—A long time; ever since the old bath was destroyed. It was always intended. I had it in contemplation some time; but that could not be done until that external part should be made an internal part of the gaol.

How long is it since the old bath was destroyed? some years?—I think the intention of taking in that external part has been in agitation some years. I believe there has been an order in the book for a long time for doing it. I know it was occasionally delayed some time for want of masons; latterly I can't speak to. We could not do it without a strength of masons.

Has

Has the place where the old bath stood been converted into a visiting-room seven or eight years?—Yes. *Sir J. P. Acland.* (16 June.)

Do you mean to say that you have continued seven or eight years without baths for want of masons?—No; the boundary wall was not completed, for want of masons sometimes, and for other reasons; and, from the locality of the gaol, we had no power of constructing baths, until we had an accession of ground.

Has there not been some ground purchased by the side of the river below the factory-yard for some years?—That ground has been purchased about twelve months, on purpose to erect infirmaries. I believe I came here and marked out the ground, and that was the last act I did.

Has the gaol been without any infirmary or hospital for the last twelve months?—One infirmary for females was occupied by Mr. Hunt, and the other partly by Mr. Kinnear.

There has been no other built?—Not that I know of; a plan was projected for one, that has not been carried into execution.

Do you know why it has not been done?—No; I placed my opinion upon record in the Magistrates Journal, I believe. I was then going to resign the chair.

[Magistrates Journal of 24th June 1820, was read.—"In case of any illness or sickness, which it is impossible to expect that such a gaol community can be long without, there appears to be no resource for setting any prisoner or prisoners apart from others to prevent infection from spreading in the gaol, or to afford invalid prisoners that quiet and privacy essential to their recovery. Were Mr. Kinnear to be taken ill and confined to the male infirmary, the whole must be given up to him; and on the other hand, were Mr. Hunt to be taken ill, it might be necessary to give up the whole of the female infirmary to him: and were any prisoners, male or female, to be taken ill, there appears to be at present no means whatever of providing for them. It appears, therefore, necessary, that some immediate provision should be provided for to meet these expected contingencies; and I am confident that the magistrates will pardon me for drawing their attention to the subject, which has already undergone the consideration of the quarter sessions and the magistrates at Ilchester, and which peculiar and imperious circumstances now press for execution in some measure calculated to meet the case. (signed) *J. P. Acland.*"]

And that I believe was your last act at Ilchester?—Yes.

Do you know whether there is a stone laid, or foundation dug, towards this new hospital?—I do not know that there has; I believe not.

I think you stated, that when you came here you made a point of going through the Occurrence-Book?—Yes; but I may have made some omissions.

Did it ever occur to you, in looking over the book, that there were interlineations?—I made no particular remark as to that; it never struck me, any irregularity; being in the same hand-writing it might not have occurred to me. If any thing had occurred to excite my suspicion, I should have inquired into it. They might or might not have been in.

Did it ever come to your knowledge, that two prisoners, Sarah Lawrence and Sarah Hewit became pregnant in the gaoler's house?—I cannot charge my memory whether any direct knowledge of these circumstances came before me; I am not aware of it. Instances such as these might have happened.

My question was, whether it was ever brought officially before you, that two female convicts became pregnant in the gaoler's house?—No, I am not aware of it.

If such a circumstance had come to the knowledge of the magistrates, should you not have thought it your duty to have inquired who was the father?—Of course we should have ordered inquiries to be made.

Sarah Hewit is a convict; do you know why she is still remaining in the gaol, without being sent to her destination, agreeable to her sentence?—I don't know. There was a woman who bore a good character at that time, and I think that I applied to the Secretary of State that she might not be removed, thinking that if she behaved well, she might be a proper person to receive a pardon, as an example to others; but whether this is the woman or not I cannot say. There was a woman of that kind that Mrs. Bridle strongly recommended as fit for a servant's place, but afterwards she told me that she would not do; but whether it was this woman or not I cannot pretend to say. I was very much in the habit of talking to Mrs. Bridle upon the subject of the females, on purpose to show favour to those that might be deserving of it.

Do you know whether the female that you applied for to remain here, you applied for on the recommendation of Mr. or Mrs. Bridle?—I think Mrs. Bridle, but it might be jointly. I generally conversed with them jointly and separately respecting the whole class of females, to ascertain their conduct and behaviour.

Sir J. P. Acland.

(16 June.)

Are you sure you did not recommend to the Secretary of State two women to remain here?—I am sure I cannot tell.

Should you consider the gaoler justified in keeping persons under sentence of transportation in the gaol without your knowledge?—He always reported the convicts in his fortnight's return to me; and when he had an order to remove any of them, he stated their names in the return subsequent to their removal; stating to me very often in his private letter, I have received an order to remove so and so, which I shall execute at such a time.

Do you conceive that you, as chairman, have power to alter a sentence of transportation without the authority of the Secretary of State?—I have no power, nor has any magistrate a power of altering a sentence of any prisoner committed in execution. A prisoner may remain in prison for want of an order for removing such prisoner for transportation.

Then you do not know, perhaps, that the gaoler has communicated with the prisoners by asking which they would prefer, remaining here or being sent abroad?—Sometimes I have been consulted, and have consulted the gaoler upon persons that were fit to be removed; for if there be any impediment as to health, they will not be taken. And in the time of the fever in 1817, when it was necessary to free the gaol of as many prisoners as possible, I was called upon to make a selection of all such as were free from infection or symptoms thereof; and Dr. Woodforde and the surgeon (I think Mr. Bryer) were ordered to make a report accordingly; and upon their report I obtained the order for the removal of those so certified.

Is the gaoler authorized by you to detain prisoners sentenced to transportation, male or female, and to set them to work to hard labour in the house of correction, without the concurrence of the Secretary of State?—A magistrate has no authority of the sort.

Have you ever authorized the gaoler to do so?—I am not aware of having given any authority to detain a prisoner from transportation; but a convict prisoner when maintained by the county, in lieu of the 2*s.* 6*d.* allowed by government for their maintenance, may have been employed in the laundry with the other prisoners.

Has the gaoler ever been authorized by you to compel all female prisoners to work, under whatever sentence they may be?—Prisoners, like convicts not sentenced to hard labour, were always happy and desirous of being employed without any act of compulsion; and I have never known compulsion made use of.

Then compulsion has never been authorized by you?—I never knew compulsion being made use of, nor have authorized it.

You have never known any debtors compelled to labour or suffer the punishment of solitary confinement?—Debtors upon coming to gaol are placed in the upper ward; and upon their application for the county allowance, and showing that they have no means of maintaining themselves, are removed into the lower ward, there to be maintained by labour or by the county allowance.

If a female convict had become pregnant in the gaol, was it not the gaoler's duty to notice it in the Occurrence-book?—It was an observation open for him to make, and it would have been very proper for him to notice it.

Did you not conceive it the duty of the gaoler to record every occurrence that took place in the gaol in that book, particularly as to the conduct of the prisoners?—Yes.

Do you not conceive that the circumstance of a female convict becoming pregnant was a sufficient offence to be recorded?—Yes.

Was it or not the duty of the gaoler to call the particular attention of the magistrates to the circumstance of Sarah Hewit having had a child two years after she had been confined in the gaol?—Certainly it was his duty to have stated, not only the birth of the child, but also the peculiar circumstance attending it.

Has it ever come to your knowledge that this child has for two years received the county allowance?—No.

Since the county has built the manufactory, has any person ever been employed competent to instruct the prisoners in the manufacture of cloth?—None but prisoners.

Has it come to your knowledge, that felons have had boys for misdemeanors placed under them to be instructed in trades?—I don't recollect misdemeanors boys; but if boys could be placed beneficially to learn a trade under a felon, I should not have made any objection; it was always considered advisable not to put too many boys together, but to put them under a man who should have an interest in teaching those boys properly, and making them to behave well; and I have always examined into the relative characters of men and boys so classed, to satisfy myself that the boys were under proper control and management.

Do you consider it a beneficial classification to place boys for misdemeanors under convicts for felonies?—I am not sure that there were any boys for misdemeanors.

Perhaps

Perhaps you are not aware that boys are constantly sent in for trifling offences to be detained for short periods?—Boys for short periods were not the objects of being taught manufactures, unless they had to stay three or four months; but it was always deemed advisable to keep boys employed. Many boys have been taught by being put under men prisoners who could instruct them. *Sir J. P. Acland.* (16 June.)

Were not these boys as likely to be taught how to pick a lock, or to break a house, by such persons?—Not nearly so likely to be corrupted by a man whose interest it was to instruct him and make him well-behaved, as it would have been to have left him with his own associates, because that man depended upon his well-behaving towards that child for any hope that he might have for any future reward; they were generally promised a little reward, or perhaps a pardon, if they behaved well as instructors.

Do you consider it would be beneficial to those boys, after they left work, to associate with those felons and convicts in their wards, and to sleep with them by night?—That is a very different question, because there they are not under the control of any particular person, and ought not to sleep in that way; they ought to be retained to their own wards. In general I think, in the boys yard, when that could be kept apart for them, a man used to be placed in it for keeping a control over them, and keeping them in order; I don't allude to any particular man.

Has it ever come to your knowledge, that a man was selected to take care of the boys who had been before in the prison for felony, was then in the prison for felony, and is now in the gaol for the third time, under sentence of transportation for felony?—The latter part of that question I cannot answer at all; but as to the former part I know nothing of any particular man, but conceive that Mr. Bridle made the best selection in his power for the purpose.

Has it ever come to your knowledge that boys have been placed to sleep with a man sentenced for beastiality?—No, I know nothing of it.

Has it ever come to your knowledge that other prisoners have been placed in the same cell to sleep alone with men convicted of attempts to commit unnatural crimes?—I remember a man under that sentence who was complained of by the prisoners for an attempt to renew that crime in the gaol, and he was ordered to be kept separate and apart, but the prisoners of his former ward, pitying the man, petitioned for his release, and offered to take him back as their associate. I sent for the man, and some or all of the prisoners of that ward, and told both him and them, that being restored to the ward, they the prisoners should be answerable for their own act in having him restored; and I told the individual that I would not make by my own act his sentence a solitary one, but that if he should renew those attempts again upon others, that I would remove them from the power of being contaminated by him, which in the end would leave him in solitude; but that he should remember it should be a solitude of his own creating.

What was that man's name; and did the circumstance take place some years back?—The circumstance took place some years back. His name I do not recollect; but he came from the eastern part of the county.

Has it come to your knowledge that a man under sentence for that crime has been placed to sleep in a cell with another prisoner singly?—No.

If it had been communicated to you by means of the Occurrence-book, or by the gaoler personally, that a person was in solitary confinement, should you not, if your health had permitted, have visited that person?—I did very often go with Mr. Bridle to remonstrate with those persons.

Did you ever sanction the practice of putting boys who had committed offences in handcuffs with their hands behind them night and day?—No.

Did you ever sanction the practice of the gaoler, when men were in irons, beating them with a stick or whip?—No.

Was it ever communicated to you that your gaoler was in the frequent habit of swearing and getting drunk?—I am not aware that ever I heard him swear profanely or violently; and as to drunkenness I never knew an instance of it: a man trained in his habits on board the hulks and in a gaol might occasionally give way to using such improper language, especially if we consider the nature of the provocations that he may be in the habit of occasionally receiving; but I never knew him addicted to any habits of drunkenness, and I have always believed him to be a sober man.

I only asked whether it ever came to your knowledge that it is so or not?—No.

Did it ever come to your knowledge that a woman was put into solitary confinement for humming a tune?—I am not aware of it.

Did Mr. Bridle, when he told you that a smell in the wash-house arose from washing the stockings, also inform you that there was an opening there to the sewer, and from which there was continually an offensive smell arising?—No.

Sir J. P. Acland.

(16 June.)

Did Mr. Bridle ever point out to you that there was a great defect in the passage down one of the females privies?—I very often in passing by and going into the courts have gone close to the privies for the purpose of ascertaining whether there was any offensive smells, without being sensible of any; and I do not recollect Mr. Bridle drawing my attention to such a circumstance.

Do you understand that the women do the knitting of stockings in this gaol?—Yes, I think I have seen the women knitting.

Has it ever come to your knowledge that able-bodied men are employed in this gaol in that occupation?—If they had no other labour I think they would be very well employed in various branches of knitting; I have always encouraged prisoners in any work that they would take to; it being impossible to find work for so many prisoners, in one, two, three, or four employments, such as masons and carpenters, and so on; and any work that would take a man out of idleness was always considered as a point gained towards his reformation.

Has it come to your knowledge that men have been employed in knitting in this gaol?—I have seen men employed in knitting night-caps and doyleys, and I have bought some.

[Adjourned at 1½ P.M. until 2½ P.M.

The Commissioners re-assembled at half past 2 P.M.

Sir John Palmer Acland again Sworn.

Cross-examination by Mr. Hunt resumed.—What measures were taken to protect the prisoners from the rapacity of the shop-people?—There was an officer standing by to see that justice was done.

Whose duty was it to see that these persons gave good weight who brought articles?—I think Mr. Bridle's, or one of the officers under him. I think there was a pair of scales ordered for the protection of the prisoners. Every pains were taken to secure a good intercourse between the buyer and the seller.

Having done that, you left it for the gaoler to see it carried into execution?—Of course; the shop being of his own creation, I thought him the fittest person to see to the proper execution of it

Do you know what hours were allotted for the people to sell and the prisoners to purchase?—It was the intention, that when persons came with articles to sell, they should not be refused admittance at any time; though it was generally expected they should come about breakfast-time.

Do you remember any instance of the shop-people having short weight?—No.

Do you not consider that prisoners should have some means to ascertain whether they had proper weight?—I said just now that there were scales for them to have access to whenever they required.

Did you understand that the prisoners were allowed to purchase milk?—Yes; milk, tea, and every thing, the same as at Gloucester.

Do you know of any rule that debtors in the lower ward were prohibited from having a pint of beer as a gift?—No; they were allowed to have a pint of beer given to them once a day in the conversation-room.

Then no rule ever had your sanction to prevent them from having a pint of beer from their friends?—I don't recollect my giving any orders that the prisoners should be debarred from the benefit of that rule.

Do you know whether Mr. Bridle ever went to Gloucester gaol to have a few lessons?—I think he told me he had visited Gloucester gaol.

I think you said there are three visiting hours for the debtors in Gloucester gaol?—I think there are either two or three.

Do you recollect whether the friends of debtors are prevented seeing them at any reasonable hours in the day?—I think there are visiting hours there.

Will you swear that there is any gaol in England, except Ilchester, where debtors are prohibited from seeing their friends at any hour in the day?—I can't say.

Do you know whether the rules made for the regulation of this gaol from time to time were sanctioned by the judges of assize?—No, they were not; they were called by us provisional rules, because it was impossible to frame rules to erect a settled establishment, whilst ours could only be accommodated to the circumstances of our gaol, then in an imperfect and progressive state of improvement.

Then I am to understand, that since Mr. Bridle has been governor of this gaol, none of the rules have been sanctioned by the judges of assize?—They are not. Drafts have from time to time been made for rules to be submitted to the judges and the committee of magistrates to digest and draw up such as were thought proper; and that committee meet here in 1818 for that purpose.

Do

Do you mean that the magistrates have been from time to time, within the last thirteen years, engaged in drawing up rules for the government of the gaol, for the purpose of their being submitted to the judges of assize, without that having been yet done?—The provisional rules applied to the gaol for many years; and seeing the gaol in a more settled state, the committee before alluded to was appointed for preparing the rules to be submitted to the judges. *Sir J. P. Acland.* (16 June.)

My question is, have they been sanctioned by the judges?—No; they have been sent to the judges.

How long have they been sent?—I think the beginning of the year, before the circuits.

Sir George Wood delivered a paper to you some years back at the assizes?—Yes, he did.

What did you understand that to be?—Some complaint of the debtors; and I referred it to the sessions.

I thought you said Baron Wood, when he delivered you that paper, desired that you would examine into the charge?—Yes; that I would look into it; and I reported it to the sessions.

What measures did you take to ascertain whether the allegations contained in that paper were true or not?—Some inquiry was made, but what it was I can't now call to mind; I conclude some report was made thereon, but I can't recollect now, as I have no minute of it.

Have there not been petitions at other times sent to the House of Commons and judges of assize, complaining of the restrictions upon the prisoners in this gaol?—Yes, there were; and inquiry was made into the objects of that petition by Mr. Dickinson, which satisfied Mr. Bennet, who made the motion in the House of Commons, and with which he stated himself to be perfectly satisfied. There is no instance within my knowledge of a complaint having been made, but what it was inquired into.

You can't say yourself whether there was any inquiry, or whether those men had an opportunity of substantiating their complaint?—This complaint came to be inquired into by Mr. Dickinson, at a time when I was unable, from domestic calamity, to be present, and was actually out of the county.

Then you can't say from your own knowledge what took place?—No.

Do you recollect the prisoners being about to petition the House of Commons, and being prevented doing so?—I don't know how they could be prevented, because they always sent petitions whenever they pleased.

Do you mean to say that the debtors in this gaol have never been prevented from sending a petition which they had already prepared, and were afterwards punished for having prepared?—I am not aware of it.

[Entry of the Magistrates Journal of November 25th 1813, read.]

Do you know whether that petition was ever sent to the House of Commons, or was suppressed by you and the other magistrates?—I don't recollect that the petition was suppressed.

Do you recollect that the same day you investigated this business, some of the debtors were sent into solitary confinement in the refractory-ward?—I am not aware of it.

Complaints having been made in the gaol by the prisoners respecting the regulations, did you not take measures to get your rules sanctioned by the judges?—As I said before, we did not think it necessary.

The rules that were made by the magistrates, did you give the prisoners an opportunity of knowing those rules?—I think they were hung up in the gaol. I know they were hung up in Shepton gaol. The rules were brought framed into court at the quarter sessions; one I think for each gaol, and to be hung up in them. I remember one frame of them being brought into the court of quarter sessions.

Were there similar rules made for the county gaol and for the two houses of correction?—I think perhaps there might be rules adapted for debtors that might only apply to this gaol.

I wish to ask you whether you are sure that you never made any rules for the government of the prisoners without giving them an opportunity of knowing them?—No, I think we never did.

Do you mean that you communicated them to the gaoler in the expectation that he would communicate them to the prisoners?—If we gave an order for a thing to be hung up, of course we depended upon the gaoler to do it; we did not hang it up ourselves.

If the magistrates having made certain rules and regulations for the guidance of the prisoners, by which their conduct was to be regulated, and having given those rules and regulations to the gaoler, should you not consider it an act of great injustice to punish a prisoner for having unintentionally perhaps violated one of those rules, without the prisoner's having had any opportunity of knowing what the rules were by which he was to be governed?—I am not aware how or in what manner the rules were given to the goaler to hang up, nor can I inform you whether the rules were printed, or that copies were hung up in every

Sir J. P. Acland.
(16 June.)

separate ward. Whatever orders were given to the gaoler I presume he complied with, and it is not in my knowledge that any prisoner was ever punished by the order of a magistrate without its being stated to such prisoner what rule for the regulation of his conduct existed which he had disobeyed.

But if the magistrates have made rules, and they have not been communicated to the prisoners, would it not have been unjust to punish the prisoners for disobeying those rules?—Certainly.

Are all the rules that are made by which men are subjected to punishment either hung up or entered in the Magistrates Journal, or does the gaoler make arbitrary rules at his own discretion?—The rules are made by the magistrates and not by the gaoler; they are only executed by the gaoler.

Do you recollect a letter from Lord Sidmouth to Mr. Cunningham, governor of Gloucester gaol, relative to opening prisoners letters, being entered in your journal?—Yes; by my direction, for the information of the magistrates, and for the guidance of the governor.

Do you recollect giving the gaoler at any of your meetings orders to depart from the regulation laid down in that letter?—No; he was desired to act upon the rule laid down in that letter, exercising a fair discretion as to opening letters that might be suspicious. I believe, at that time there were some serious apprehensions of certain prisoners in the gaol corresponding with people from without to break gaol and make their escape, and I strongly recommended him to make use of his best discretion in the exercise of any liberty left him by that letter, to prevent any serious mischief taking place. I cautioned him to be upon his guard, and desired him to be very careful upon this as upon all other occasions, because, if he acted wrong, he would be sure to hear of it again.

Then you have never sanctioned him in opening letters generally?—No, I have never departed from the principle of that letter. Those who are to execute laws are not to judge of the expediency of making them.

Supposing any fair suspicion had been entertained, whose duty was it to open the letters?—The governor, on the spot.

Did Mr. Bridle, when you were here, ever treat you with bands of music?—I have had the choir from the chapel to entertain me of an evening. They came to thank me for a subscription for books and instruments; I believe I attended chapel next day.

Is it with your knowledge and sanction that bands of music have been brought in from the town with drunken people and flags, at election and other times, and the governor and female prisoners dancing together in the gaol?—Not with my knowledge, and certainly not with my sanction.

Was it with your knowledge or sanction that the female prisoners have had their hair cut off as a punishment for offences?—Yes, I have done it myself for a dirty head. There was a prisoner that was reported by Mr. Bridle as being dirty in the head; I went to the laundry and examined her, and found her head to be dirty, and called for a pair of scissars and cut off her hair myself, and told them all that if they would not keep their heads clean and decent, I would perform the operation whenever I came, which Mr. Bridle had neglected to do, and which I reproved him for before them all. The consequence was, I had no complaints of dirty heads in future.

Did you mean by this to sanction him in cutting off other women's hair for offences not connected with their heads being dirty?—I don't know that there was any order given for cutting off women's hair generally.

But was it to sanction him in cutting off the hair for any offence that might be committed?—No.

Were you in the habit of examining the accounts at the gaol sessions?—No.

Did you understand that any manufactures made in the gaol have been sold?—Yes, I have bought them myself.

Goods that have been sold by the governor; I suppose he was authorized to sell them?—Yes, he was authorized to sell: we were glad to find a market.

When he had sold these things, what did you expect he would do with the money he received?—Of course account for it to the county.

I believe Mr. Bridle made up his accounts once a year?—Yes, at the gaol sessions, the general accounts.

As an honest careful servant of the county, was that the time when he ought to account for money received as well as paid?—I don't know how the accounts of the manufactory were made up.

If a man bought wool, manufactured it, charged the county for the wool as well as the manufacturing, and then sold the goods and took the money for them, without giving the county credit for the money received, should you consider that to be the practice of an honest man?—No; unless he could give an explanation of it, and show that it was not done with a fraudulent intention.

But

But if it had been done for many years, what should you say then?—That takes it out of the exception.

Re-examined by Mr. White. Did not the returns made every fortnight inform you of the number of convicts that remained in the gaol?—Whatever subtraction was made from the numbers contained in the gaol their names were entered on that return, with the dates of their sentences.

The sentences of those prisoners being returned to the Secretary of State, the governor would not be justified in removing any of them without an order from the Secretary of State —Certainly not; his authority to remove comes from the Secretary of State; and I believe he must produce that authority to the officer who is to receive such convicts: I believe that is the practice.

The fact, therefore, could not be concealed from the Secretary of State, if Mr. Bridle had been so disposed, that prisoners had been sentenced to transportation and had remained here a considerable time?—A return is made after every assizes and quarter sessions of all persons under sentence of transportation; and upon an application to remove prisoners, from the crowded state of the gaol or from the usual course in the office, an order comes from the Secretary of State to remove such prisoners named therein: I believe that to be the practice.

Then, sir, it does not depend upon the arbitrary will of the governor, whether they shall be removed or not?—I believe he cannot do it; for, as I said before, his authority to convey, and the order for the officer to receive from him, must be contained in the warrant: I believe that to be the course of proceeding.

Will you be pleased to explain to the honourable Commissioners the reason the debtors in the upper ward are allowed beer, and those in the lower ward are prohibited beer?—Those in the upper ward maintain themselves; those in the lower ward who apply for the county allowance state, in their petitions to the magistrates, that they have surrendered all their property to their creditors and are unable to maintain themselves; and the magistrates giving them the county allowance consider them if too poor to buy bread, not rich enough to buy liquors, and therefore give them the option of receiving the county allowance subject to the rules of that ward, but with liberty to purchase any extra articles of provision if by any means, by labour or otherwise, they should acquire it.

Were you aware of the order for rescinding the eleventh rule when you gave evidence on your cross-examination?—No, I was not.

Are there not bathing-tubs made use of in the gaol?—Yes; I believe I called them buckets.

Is it or not your opinion, that these moveable bathing-tubs are more convenient than fixed baths?—My opinion is, that they are so; but still, where there is room sufficient I should be disposed to have baths as well as tubs; because tubs can be removed to a man's cell or apartment when the prisoner might not be able to be removed himself.

Examined by the Commissioners.—Can you tell where the grant from Mr. Tuson, of water from the mill, is lodged?—With the clerk of the peace.

Do you know whether prisoners have been always washed upon their coming into gaol?—I don't know; I had confidence in Mr. Bridle, and suppose it was done.

Was there ever representation made to you, or had you reason to believe that there was ever a difficulty in the supply of meat or other articles that might be wanted for the sick?—No.

The county undertook to furnish this room: When not occupied by the county, who was to have the use of it?—Mr. Bridle.

But the county did not furnish this room?—No.

And the county have used the furniture of Mr. Bridle?—Yes, in the lower room. We never sat in this room; the other was more convenient for access to us.

That room and that furniture were, strictly speaking, Mr. Bridle's?—Yes.

Did Mr. Bridle ever make any charge upon the county for that use?—No; but I believe I stated that he said he hoped they would find a new carpet, as they had worn out his.

As the county had the use of that furniture and that room, would it have occurred to the chairman or magistrates to have thought much of Mr. Bridle taking beech wood or other wood to make a sofa and worked it up by prisoners in the gaol?—I should have thought nothing of it. I am not clear that the subject may not have been mentioned to me. I mean that Mr. or Mrs. Bridle may not have called my attention to the making of it.

Have you any impression upon your mind to that effect?—I am rather inclined to think I have, and therefore I mention it.

Was the governor of the prison entitled to the refuse straw from the beds?—He was not entitled to any perquisite; but he was never called upon to account, and I believe it was generally thrown away on the dunghill outside the place.

Sir J. P. Acland. (16 June.)

Do you consider it the duty of the governor to enter in the Occurrence-book the events of the day, in the order in which they occur?—Yes; as nearly as may be.

Look at the entry of 26th March 1819, (the last entry is, Sarah Hewit is delivered of a female infant child, at four A. M.) and say whether you think it was done at the same time with the rest of the day's entry?—It appears to me not to have been made at the same time nor in the same character.

Now I would call your attention to marginal reference?—The same observation applies to that also; there seems to have been a good deal done that day, and that might be the reason of the entry not being made immediately.

Are you aware that the bathing-tubs are ever used for bathing?—I cannot say; up to last July, I have no knowledge.

Are the tubs of that size as to be capable of being taken into a cell?—I don't know the size of the tubs; I meant, that generally speaking tubs or buckets are more convenient than baths.

Why are the staircase doors of either of the debtors wards fastened in the day time?—To prevent prisoners using them, except for the purposes of sleeping in them, or for occasional illness.

Was it the intention of the magistrates to exclude the debtors from having commerce with their wives in private?—It was meant for the general purpose of keeping the rooms clean and well aired, and no prisoners in the gaol have the accommodation of going up stairs to their cells or rooms, except for the purpose of sleeping or in case of sickness; there would be a great deal of danger in permitting the prisoners to go up stairs, as they could not be overlooked.

But was it the intention of the magistrates to exclude debtors from private commerce with their wives?—It never occurred to my mind to provide that sort of accommodation; if one debtor had it all must have it.

Was it the intention of the magistrates to prevent the debtors from having private commerce with their wives in Ilchester gaol?—No; it was neither my intention to exclude them nor to afford them that accommodation.

Are you aware of any written rule to that effect?—No, I am not.

Mr. *John Palfryman* called in; and Sworn.

J. Palfryman.

You are a surgeon?—Yes.

Living where?—At Linton, Devonshire.

Were you ever confined in this gaol as a debtor?—Yes.

For what time?—From October 1816 to April 1817.

Examined by Mr. White.—As a medical man, you must have observed the conduct of Mr. Bridle to the sick, during the time of your imprisonment?—Yes, I have.

What was his conduct during that period?—Very attentive indeed.

What was the state of the appearance of the prison and the prisoners, as to cleanliness during that period?—Both very clean.

Knowing that you were a medical man, did the prisoners use to make complaints to you?—They always applied to me if they ailed any thing, if it was only a punched finger.

During the period of your imprisonment, were any complaints ever made to you of excoriated feet?—Never.

Examined by the Commissioners.—Were you consulted by prisoners out of the ward in which you were?—Yes; by the whole of the prisoners.

How was it that the prisoners in other wards had access to you, to make complaints to you?—My being in the prison, and the other surgeon not coming every day.

When a prisoner required your assistance, were you permitted to go from the debtors ward to attend a prisoner, or was the prisoner brought to the debtors ward to attend you?—I went from the debtors ward to attend him.

Perhaps you can state whether much inconvenience would have been felt in the gaol, from the gaol surgeon not attending every day, had neither you nor any other professional man been at hand?—The gaol surgeon would then have been sent for, as I understand it had always been the practice before.

Did you understand, that in consequence of the circumstance of your being a prisoner, the visits of the gaol surgeon were less frequent than at other times?—I believe not.

Then

Then how do you mean, that if you had not been at hand, the gaol surgeon would have been sent for every day?—He would not have been sent for every day unless particularly wanted. *J. Palfryman.* (16 June.)

Then are we to understand, that in point of fact, you did discharge a portion of the surgeon's duty?—In his absence I certainly did.

Alexander Gane called in; and Sworn,

Where do you live?—At Wilton, near Taunton. *A. Gane.*

Are you the keeper of the house of correction at Wilton?—Yes.

Examined by Mr. White.—Were you ever as a debtor confined in this prison?—Yes.

How long were you in confinement?—I think about forty-three weeks, as near as I can recollect.

How long is it since you were in custody here?—I believe I went out in 1811.

What was the state of the prison and prisoners as to cleanliness at that time?—Every thing was kept then very regular and very clean.

Were you afterwards the turnkey of this gaol?—I was.

Was that immediately after being liberated out of custody?—No, I believe I went out in July, and was appointed turnkey at the October or January sessions following.

How long did you act in that capacity?—Until the January sessions 1813.

During the time you were turnkey, what was the state of the prison and prisoners?—Very regular and very clean; and I don't think I had a complaint from any magistrate, during the whole two years, of the gaol being filthy.

During the time of your being debtor and turnkey here, did you ever see Mr. Bridle intoxicated?—I did not.

Are you in the habit of being with Mr. Bridle at the assizes and sessions for the county?—I have been six times a year ever since I have been keeper of the house of correction at Wilton.

Have you ever on those occasions known him to be intoxicated?—I have not.

Cross-examined by Mr. Hunt.—Who recommended you as turnkey to this gaol?—My friends.

Was Mr. Bridle one of them?—I believe he was.

And you took care to keep every thing clean while you were here?—I did, and so I have done since I have been at Wilton.

You never let your prisoners go a month without cleaning?—No.

How often do you allow them clean linen?—Every week.

How often do you give them clean stockings?—I make it a point to give my men clean stockings every week.

How often do you think it necessary that working prisoners should have clean worsted stockings?—Every week.

Is it necessary to make prisoners wash themselves to keep themselves clean?—Yes.

How often?—I order the prisoners in my gaol to wash their hands and faces every morning.

You think it necessary for health as well as for cleanliness, to make prisoners wash their hands and face at least once a day?—Yes.

Do you find it the best way to manage prisoners by good treatment or by harsh measures?—Sometimes we are obliged to be harsh.

What do you think is the best punishment for swearing?—Sometimes we have them locked up, and sometimes their wages are suspended.

Which do you find answer best as a preventative?—Upon my word I am at a loss to say. Sometimes, when we have a very disorderly man, we are obliged to put his hands behind him for a certain time.

Has your experience taught you, that the best means of preventing a man from using his tongue is to tie up his hands?—No; I said I was at a loss to know which was the best means.

Where did you learn that practice?—I was here as turnkey, and saw men punished here for offences; and if I have disorderly people at home I must take some steps to keep them in order.

A. Cane. (16 June.)

Do you mean to say that you learned that method here?—I said I might have learned a part of it here; and after being in the service two years, I got knowledge how to punish a man if he behaved disorderly.

If you punish a man for swearing you take great care not to rap out an oath yourself?—I take as much care as I can; I can't say I never do.

What other sort of punishment have you seen here except tying men's hands behind them?—I have seen them locked up, and I have seen them in double irons when they have been disorderly.

Were there any irons when you were here?—Yes.

Were there any neck-irons?—I never saw any neck-irons used in my life.

What part of the gaol were you in?—At the debtors ward.

Do you find it necessary to put a man in irons, and to flog him with a stick or whip?—I never did it, nor saw it done.

Did you ever try how a blister would answer to prevent a man from swearing?—No.

Did you at the assizes and sessions attend Mr. Bridle in the court or at the inn?—I have been with him in court, and at the gaol, and at the inn.

Did you on those occasions join him in a party at card-playing?—No; I don't understand cards myself very well.

Can you take upon yourself to say that it was not his practice to play at cards every evening at the assizes and sessions?—I believe I have seen Mr. Bridle take a hand of cards with a friend.

But you never joined them?—No, I don't recollect that I ever did; I am not positive whether I have or have not; nor I never saw Mr. Bridle do it frequent.

Can you swear that he ever went to any assizes or sessions without joining card parties?—No; I was not always with him.

Re-examined by Mr. White.—During the time that you were here, did you ever know a deficiency of linen or stockings, or a neglect in changing them?—No; at the time I was here as an officer we followed the same rules as I have done since. If we had not enough on Saturday, they were washed on the Monday, so that the men did get a change once a week.

Examined by the Commissioners.—At the assizes and sessions the prisoners that are brought from Ilchester to Wilton are under your care?—They are under the care of the county gaoler.

When the governor of Ilchester castle arrives at Wilton with his prisoners, under whose care are they for the night?—They are under his care.

Does he sleep in the gaol?—No.

Then how has he the charge of them?—I consider myself and the prisoners as under his orders, but he don't sleep there, but he gives orders.

[Adjourned at 7 P.M. until 9 A.M. Monday morning.

MONDAY, 18th JUNE 1821. The Commissioners assembled at the Gaol at 9 A.M.

Mr. *G. A. Underwood* called; and Sworn.

Mr. G. A. Underwood. (18 June.)

DID you make this plan?—I did.

Is it a correct plan of the gaol, excepting the drainage?—Yes.

I understand you have never examined the drains?—I have not.

James Woodforde, M. D. called; and Sworn.

Dr. J. Woodforde.

You, I believe, are a physician?—Yes.

Residing where?—At Castle Cary.

Examined by Mr. White.—Were you in 1817 called on to attend the sick in Ilchester gaol?—I was.

What was the malady with which the prisoners were affected?—Typhus fever, a prevailing epidemic at that time.

What number of persons were infected with the fever?—About twelve at my first visit.

How many died?—I was informed one person had died previous to my visit. In the course of my attendance other persons were attacked with the same disease, altogether to the

the number of nearly seventy, out of which two died; but I am of opinion that many others were slightly affected; but the progress of the disease was instantly stopped by early treatment. It was constantly an observation made by me on the state of the prison during my attendance, that there was the greatest attention paid to the recovery of the prisoners, by the vigilance, attention and humanity of the governor, who seconded promptly, and carried into execution, every plan that was proposed, officiating himself many times, to the risk of his own life; and I am firmly of opinion, that nothing but great attention to ventilation, cleanliness, and the appointment of a house of recovery, could have prevented the disease from infecting the whole of the prisoners in the gaol. The disease was then existing in various parts of the county; for I was then attending in different places the same disease; and, to my knowledge, it had existed in the town of Ilchester previous to its appearance in the gaol, and had proved fatal in many cases in Ilchester, and in other situations also. I was fully satisfied that every thing was done conducive to the recovery and comfort of the sick patients, as well as what regards diet, medicine, and every other remedy.

Dr. J. Woodforde. (18 June.)

By whom was that attention partly paid?—By myself, the apothecary, Mr. Bridle the governor, and particularly by a medical gentleman then a prisoner for debt, who assisted for Mr. Bryer almost hourly in some cases.

Do you recollect the name of that gentleman?—Mr. Palfryman. I beg leave to remark, that the average number of deaths in typhus fever is one in fifteen or twenty. In this prison only two deaths occurred out of sixty marked and confirmed cases of the disease.

If the prisoners had been relatives of Mr. Bridle, could he have shown more real interest and solicitude than he did on that occasion?—I am convinced he could not.

How long did the fever continue among the prisoners?—Between three and four months.

During what portion of that time did you attend them?—Every other day for the space of six weeks, and afterwards, according to any emergency or cases of great danger.

During the time of your thus attending, were the opportunities of your witnessing Mr. Bridle's conduct very frequent, or otherwise?—Mr. Bridle accompanied me almost always to the patients wards, and personally assisted in fumigation and other necessary concerns.

Did his conduct manifest great attention and humanity, or neglect and indifference?—I was forcibly struck with his great attention and humanity, and uniformly mentioned it on the instant among all my acquaintance; and I think his exertions contributed powerfully to aid my own endeavours for the recovery of the sick.

Where were the sick prisoners placed?—In wards appropriated by me for their reception, which wards were carefully whitewashed, ventilated, fumigated, and otherwise properly cleaned.

You spoke of a house of recovery, where was that situated?—At Lymington, about two miles from hence. Finding the disease make great progress in the prison, I deemed it advisable to obtain a house of recovery detached from the prison, to which every first case should be removed; and the measure had the desired effect of preventing the extension of the disease.

Did you attend regularly at the house of recovery on your visits?—My visits were regularly there as before in the gaol.

On those occasions, was Mr. Bridle in the habit of attending you?—Mr. Bridle's visits were also made there, and he paid the same care and attention to the recovery of the sick prisoners there.

Have you reason to know that your directions, as to food and diet, were punctually attended to?—I have reason to believe that all my directions were fully observed, both from my own observation and from reports which I received from the patients themselves.

Did you observe Mr. Bridle, by personal exertions, superintend the execution of your directions?—Constantly and particularly.

Were the duties which he performed attended with any personal risk?—Very considerable.

What were the measures by which you subdued this epidemic?—Strict attention to ventilation, whitewashing and fumigation, washing and sponging the bodies of patients every morning, and frequent change of clothing, and daily exercise in an open court.

Did the fever prevail at that time in other parts of England?—Almost universally in England, Scotland and Ireland, especially Ireland.

When you first visited the gaol, what was the state of the cleanliness, not only of the buildings, but of the prisoners?—I was forcibly struck with the general appearance of the cleanliness, and the general comfort of the prisoners.

Did you not give general directions to Mr. Bridle, that the prisoners, during the existence of the fever, should be provided with every thing necessary, without any special order from you?—I did, because I had reliance upon his discretion.

Dr. J. Woodforde.

(18 June.)

Have you reason to know that many things of that description were so supplied?—I have, as to what appertain to animal broth and wine that was requisite.

Cross-examined by Mr. Hunt.— There is a surgeon's book, I believe, in the gaol, where the surgeon or physician enters his orders?—Yes.

[*N. B.*—Examination of Dr. Woodforde adjourned until the surgeon's book can be produced.]

Mr. *John Palfryman* again called in; and Sworn.

Mr. J. Palfryman.

Examined by Mr. White.—You were in the gaol during the time of the fever?—I was.

Were there fumigations in the gaol during the fever?—The prison was daily fumigated, not only with acid and nitre, but by a quantity of pitch and sulphur, burnt in different parts of the prison.

Did you from time to time distribute the different articles that were ordered by doctor Woodforde for the sick?—I did.

Will you enumerate some of the articles that were so distributed, beginning with the breakfast?—In the morning, tea and coffee was distributed with bread and butter; in the day-time, broth, gruel and wine, to those that the doctor ordered it and there was tea and broth always given in the evening.

At dinner, what was generally provided?—Broth and meat for those who were well enough to eat it.

Were these different articles ever withheld from the prisoners?—Never.

Were they abundantly supplied?—They were.

Had you the least difficulty in procuring them?—Never any.

What was the conduct of Mr. Bridle during the raging of this fever?—Mr. Bridle always requested, that every thing doctor Woodforde ordered should be immediately administered.

How were the healthy prisoners treated in the morning?—There was a portion of the prisoners washed every morning with salt and water; they were not all washed every morning, some one morning and some another.

What treatment did the sick experience in contradistinction to the healthy?—The sick were sponged every morning with vinegar, and sometimes in the course of the day besides.

Was any thing done to their rooms?—The rooms were sprinkled every morning with vinegar.

What practice prevailed with regard to their linen and bedding?—They had clean shirts every other day; the bedding was always washed once a week, and sometimes oftener.

Did you ever experience any deficiency in the county stores?—Sometimes we wanted vinegar; and two or three times, I recollect, we wanted wine and sugar.

On those occasions what was done?—I got it from Mr. Bridle's house.

Was there ever a deficiency of pottery or earthenware experienced?—Yes, there was.

On those occasions how were you supplied?—From Mr. Bridle's house.

Were those supplies ever withheld from you or refused?—Never.

Had you the power on all occasions to take what might be necessary for the use of the sick?—I had.

Will you explain in what way?—Mr. Bridle told me I might go into his house, and take whatever I found there that was necessary for them.

Did you in point of fact do so whenever you had occasion?—Certainly.

What was your general beverage whilst you were in the prison?—After the first month water.

How long were you in custody?—From October to April.

Did you ever find any ill effect from drinking the water?—I did not.

Cross-examined by Mr. Hunt.—How far do you live from hence?—About eighty miles.

Did you come here on purpose to give evidence?—Yes.

Are you in practice as an apothecary or surgeon?—Both.

What prevented you from returning to your practice on Saturday night after being examined?—I did not know whether I should be re-examined or not.

And so you staid till to-day to see whether you would be re-examined?—The Commissioners had summoned me, and I did not know that they had done with me.

And

Mr. J. Palfryman.

(18 June.)

And that is the only reason that induced you to stay away from your patients, not knowing that the Commissioners had done with you?—Certainly.

Did not Mr. White or Mr. Bridle say that they should want you?—No; I staid of my own accord.

Did you ever hear of the prison water disagreeing with anybody while you were in the gaol?—The prisoners generally complained of costiveness for the first three or four days; and that I thought might arise more from anxiety of mind and change of water than from any other cause.

Was this complaint general throughout the prison, or in any particular ward?—General.

Did the prisoners attribute it to the water?—They said they were costive, and they thought it was the water.

Did you take any pains to analyse or ascertain the quality of the water?—I had no means.

Were you in the upper debtors ward at that time?—Yes.

Did the water stink in the morning of the necessary in that ward?—Not to my knowledge.

But the gout might have broken into it since for what you know?—Certainly.

How many prisoners had the typhus fever at that time?—I can't say the number.

How many prisoners were there in the gaol at that time?—I think upwards of two hundred and fifty.

And you cannot say how many had confirmed cases of typhus?—I should suppose from forty to fifty; there might have been more; I can't say.

But you undertake to say that there were forty cases of confirmed typhus?—Yes.

Have you been in the habit of attending patients in typhus fever?—I have.

What is your calculation of the number that die in a given portion?—About one in twelve or thirteen; depending upon situation in a great measure.

How many died in this gaol and at Lymington?—I know nothing of Lymington, I was never there within the walls. Two.

Then you mean to say that two only died out of forty with typhus within the walls?—Yes.

Perhaps you attribute the small number of deaths to your being upon the spot, and always in readiness to attend the prisoners?—If any person complained, I was always called.

But do you attribute the smallness of the number to medical aid?—To attention and medical aid, certainly.

You not only attended them in a medical capacity, but also as nurse, to see that they had all their diet, meat, broth, and those things?—Dr. Woodforde recommended as little communion as possible between the sick and healthy part of the prison, and therefore I gave them nourishment as well as medicine.

And with which you say they were abundantly supplied?—They were; inasmuch as their friends when they came to see them have frequently said they are better supplied here than they could have been at home.

Yet you were sometimes out of wine, vinegar and sugar?—It sometimes happened that the stock was out.

From whose negligence did that arise?—I can't say.

Do you mean to say that you do not know who provided those things?—They were generally brought to me by the taskmaster.

Do you know where he brought them from?—No.

You say when you were out, you got them from Mr. Bridle's house?—Yes.

Do you mean that they were not all got from Mr. Bridle's house?—They were not.

Where was the tea, coffee, sugar, and bread and butter got from?—Mr. Hobbs brought them to me; I don't know where he got them.

Do you mean that the tea and coffee was not made in Mr. Bridle's kitchen?—I know it was not during the fever.

How do you know that?—Because I saw it made in the ward where the sick were.

Then the tea and coffee was not made and carried to the prisoners?—I took it to them, and they made it while I remained with them.

And you meant to say that the tea and coffee was not kept in Mr. Bridle's house?—I can't say.

You said you had the power of taking anything for the use of the sick?—I meant crockery, glasses, and things of that sort.

Mr. J. Palfryman.

(18 June.)

Where did you take those things from?—Mr. Bridle's pantry.

Do you know whether this crockery was paid for by Mr. Bridle, or charged to the county?—No.

When you went to Mr. Bridle's house for wine and vinegar, who supplied you with them?—Mrs. Bridle.

Who was Mr. Bridle's servant maid at that time, in the house?—Her name was Ellen.

Do you know whether she was a prisoner or not?—I believe she was.

Do you know of any servant having been turned out of the house for being with child while you were there?—No.

Do you know for a fact that some of the prisoners in health were washed with salt and water in the morning?—Yes, I saw it done in the chapel; the healthy prisoners had also broth every day, occasionally beer, and as much tobacco as they pleased.

Those that were ill were sponged with vinegar every day?—Yes.

Were the sick sponged in the chapel?—No they were not there.

Do you know why the chapel was used as a bath?—It was not a bath; the prisoners were washed there because there was no room anywhere else; the prison was so full.

Do you know of no other reason?—No.

Did you ever see the bathing-tub anywhere in doors, except the chapel?—I don't recollect that I did.

Do you not know that the bathing-tub is so large that it would not enter the door of any ward, except the chapel?—I don't know that it will or will not.

Do you ever prescribe pickled walnuts for the prisoners?—No.

How often do you consider that prisoners who work should have clean linen?—Certainly once a week.

How often should you think it necessary for their health that they should have clean worsted stockings?—Once a week.

What do you think would be the effect upon the health of the prisoners if a body of them, from a hundred to a hundred and fifty, should wear their stockings several months without being washed or changed?—They would have swelled feet.

Would it not probably produce contaminated air, so as to affect their general health?—It certainly might, so great a number.

Would it not probably produce excoriated feet, wearing worsted stockings from the time they were new until they were worn out, without being washed?—Certainly.

Do you not think that it is necessary there should be some rules and regulations to make such a number of prisoners as are here wash their feet, so as to prevent disease?—It would be desirable, and whether it would be necessary or not I can't say; I always understood they had their feet washed; cleanliness would always be desirable; but whether it is necessary to make rules to compel their doing so I can't say.

You were never locked up in solitary confinement?—No.

Nor compelled to work as a debtor at hard labour?—No; I never heard of any debtor being compelled to labour.

Did any of the debtors work for the county at that time?—Yes.

I hope the county rewarded you for your professional assistance?—The county gave me a gratuity of 20 *l.* upon my leaving the prison.

You were always treated very well while you were here?—Yes; I had no misunderstanding with any one while I was here, and I don't know why I should be treated otherwise.

Were the other debtors satisfied with the rules and regulations?—I never heard any complaint.

Did you never hear any of them complain of being only permitted to see their friends three hours in the day?—No; it was the rule, and was submitted to; I never heard any grumbling.

Did you never hear any debtors complain of being restrained from seeing their wives in private?—Their wives were always brought into the ward the whole of the day.

Was that a proper place, in your estimation, for a man to see his wife in?—He could say any thing he pleased, I suppose.

Do you think it proper that a man should be prohibited from seeing his wife in private?—He might have seen her in private in the conversation-room, if he pleased.

Have

Mr. J. Palfryman.
(18 June.)

Have not all the debtors and their wives access to the conversation-room at all times? Yes.

What do you mean by saying a debtor could see his wife in private in the conversation-room, if he pleased?—There was seldom more than one or two wives together at the same time; each could take an opportunity of accommodating the other.

Do you mean that there was never more than two or three wives of debtors here at one time?—I say seldom; it was so sometimes.

Might not that have arisen in consequence of the fever?—I mean before the fever; I speak generally.

How did they manage to accommodate each other, as they came from both wards?—I can't say. I can only speak of the ward I was in.

Was the present conversation-room built at that time?—Yes.

Were you married at that time?—No.

Yet you think the conversation-room, or the ward, was sufficient for men to see their wives in?—I can't say, not being a married man myself. I never heard any complaint.

Did you hear any thing while you were here about the sewers?—No.

Did you see any ventilators erected while you were here?—Yes; two were put in the upper debtors ward.

Were they put up before or after the fever?—Before the fever. There were two windows made in the external wall by the factory, by order of Dr. Woodforde; and the outside door at the lodge was ordered to be kept open all day for the admission of as much air as possible.

Do you know whether the female prisoners were washed?—No.

Where were the females placed that were sick?—In what is called the boys ward.

Is that above Mr. Bridle's court?—Yes.

Was that a fit place to put sick persons in, in any respect?—There was no other part of the prison in the first place to put them in.

But is it a fit place in any respect to put sick persons in?—There was never more than three. I thought there was sufficient room for them.

Then in your opinion that was a fit place to put them in?—It was certainly confined; I don't know any other objection to it.

Were any ventilators placed in that ward?—I don't know whether there were or not, I did not see any.

Is there any but stone floors in the rooms?—No.

Are there any fire-places in the sleeping-rooms?—No.

Since they have been built, has the sun ever entered them?—I don't know.

Do you believe that from the situation the sun can ever enter them?—I don't know; I never saw the sun there.

Is it not on the ground floor, and situated on the north side of a high building?—Yes.

Is not the yard surrounded with high walls so that the sun cannot enter the rooms at all?—The walls are high; whether the sun can enter or not I cannot tell.

Will you swear that the people in the yard can ever see the sun in the winter?—I can't tell.

Is it a fit place to put a person sick of typhus in, on the ground floor, where the sun never enters, and without a fire-place?—I don't know that it would be so bad in typhus as in many other complaints; in typhus cold is rather desirable.

Was it a desirable place for persons in typhus fever?—Certainly not.

Is it a fit place to put a debtor who had a bad cough and pressure upon the lungs in in winter?—Certainly not.

Re-examined by Mr. White.—Who occupied the female infirmary at that time?—The sick debtors.

What was the practice in the gaol, while you were here, with regard to linen?—The prisoners had clean shirts once a week.

What was the practice, with regard to worsted stockings, while you were here?—I believe they had clean stockings also.

Did you know whilst you were here of swelled or excoriated feet?—No.

It is one of the calamities that necessarily follows a man being in custody, that he cannot have the comfort with his wife that he could have in his own house?—I should suppose not.

Examined by the Commissioners.—You don't mean to say that not more than forty or fifty persons were infected with the fever during its progress?—No.

[Adjourned at 20 minutes past 1 till 20 minutes past 2 P. M.

The Commissioners re-assembled at that time.

Dr. *James Woodforde* called in; and Re-sworn.

Dr. J. Woodforde. (18 June.)

Cross-examination by Mr. Hunt continued.—Will you be so good as to point out in the Surgeon's Book, where your general order is entered to authorize Mr. Bridle to deliver such things as he thought necessary for the sick?—I don't know that it was minuted in the book.

You did not make any particular order there, because I see, from day to day, orders for allowance to the sick entered by Mr. Bryer?—They were written by my dictation, and were shown to me afterwards.

Do you remember Richard Halkin, a patient of yours at that time?—Yes, a fever patient.

Do you remember ordering a blister to be applied to him?—I don't recollect. I believe that all I ordered was inserted in the book.

Was Halkin's a bad case or not?—I think it was a protracted case; I recollect it was.

Did you order him to be put in body-irons?—No. I can say that confinement was necessary for one patient, a female. I ordered a strait-waistcoat; she was in a state of delirium, dangerous to herself and others. She recovered.

Was it ever reported to you that Halkin had been put in body-irons?—Not, to my knowledge.

[Surgeon's Book, 29th March 1817.—"First order. The face, hands, and lower "extremities of every one to be washed with lukewarm water.
"*J. Woodforde*, M. D."]

Did that order apply to the whole of the prisoners?—Yes; cold water would have been very improper at that inclement season of the year.

[Same day.—"That the beds consist of tick filled with straw, and changed at "proper periods. Seventh order, once a-week. *J. Woodforde*, M. D."]

You did not consider it necessary to change the straw but once a-week?—No.

Was this to be done for the sick prisoners only?—No, for the whole, as a preventative.

How often should you think it necessary to change the straw generally?—I should think once a fortnight.

I understood, that, by lying on some time, the straw becomes small like chaff; should the prisoners be allowed to lie upon them long afterwards?—No; I think a greater evil would arise from retaining the straw.

You considered that prisoners should have clean linen frequently?—Most frequently.

How often should you, for their safety and health in such a community as this, think that the prisoners who are employed at work should have clean shirts?—Twice a-week.

Should you think it injurious if a prisoner should wear a shirt longer than a week?—I think it might.

How often should persons in such situations wearing worsted stockings change them in hot weather, I mean essential to health?—Twice a-week. I do not think, however, that wearing them longer would be injurious. Labourers do not commonly change their stockings above once a week.

What would be the effect to the prisoners health, their wearing stockings without washing for a fortnight, three weeks or a month together?—I have never known any decided ill effect produced by such a circumstance; it would only be so in conjunction with other circumstances.

Did you ever know of a hundred or a hundred and fifty men all wearing their stockings without changing for a month together?—No.

Can you tell what effect it would have if they wore them three months without changing?—It must tend to injure the air in which such persons resided, and must tend to injure their health.

Supposing this to happen, and, in addition to that, no means taken to make the prisoners wash their feet, would it not cause excoriation?—Yes.

Perhaps you never knew of a patient wearing stockings three months without washing?—No; but I believe common people are not in the habit of washing their feet above once in three months.

Will you point out the parts that were ventilated?—There was the freest ventilation during my attendance in the gaol. The windows were opened, and a free circulation of air obtained.

There

There was no other means of ventilation than opening the windows?—The windows and doors were opened; the windows constantly.

Do you consider a free circulation of air necessary to health in general?—Yes; most essential.

Where were the females who were ill placed?—At the back part of the house.

Do you recollect where it was?—They were not confined to one room.

Is it on the right from Mr. Bridle's house, on the ground floor?—Yes.

Do you recollect it sufficiently to say that it was a fit place to put sick persons in?—Yes. There was a sufficient ventilation in every apartment where I saw the sick placed.

What was the size of the rooms in this infirmary?—They were indifferent rooms; I think not more than two beds in a room.

Do you recollect whether there were any fire-places in those rooms?—Yes; I am quite sure there was a fire-place in the exterior room, not in the bed-room; but there was a door-way between them; there was a free communication.

Are they rooms or cells?—They are denominated cells, but there was ample space for the patients that were in them.

Were there stone floors?—Yes, I think so.

Is the court surrounded by a high wall?—Yes.

And on the north side of a high building?—Yes.

So situated that the sun never entered them since they were built?—I think not; there is a free circulation of air in the courts leading to them.

Was it such a place as you would have put a patient in out of a prison?—I would not have formed such a place for a patient certainly.

Medical persons are subject to risk in attending sick persons?—Common persons are more subject to risk than medical men.

Would not Mr. Bridle have suffered more risk if the fever had been more general?—Certainly.

There was great danger and difficulty in taking prisoners to the assizes and sessions at that time?—There was a considerable danger and difficulty, because contagion is very often contained in the clothes. Persons themselves may be free from disease, and yet communicate it to others.

Typhus fever was very prevalent throughout the country?—Yes, particularly in London. I was written to on the subject by one of the medical committee for the prevention of typhus.

Was there any in Somersetshire?—It was most particularly prevalent in this country, and in Scotland and Ireland.

Did you hear of its being anywhere upon the western circuit except at Ilchester?—I think it was at Taunton.

Did you hear of the fever being in any of the gaols on the western circuit excepting the gaol of this county?—No, I did not hear of it.

Did you appropriate the place at the back for the reception of sick persons?—Probably I did. When the evil increased I saw the necessity of a house of recovery. An infirmary was then wanted.

The house of recovery continued through the summer?—I think I attended till June. I was requested to attend only upon cases of emergency.

How frequently did you attend?—Every other day: I believe that my orders were executed; I heard no complaints from patients otherwise.

May not patients have complained to Mr. Bryer?—I know nothing of any communication to Mr. Bryer.

Then your only means of knowing that those things were administered was what you were told?—I never heard any complaint made; and judging from what I saw and heard, I had every reason to believe that they were.

Did you allow smoking?—That was not ordered by me.

Did you allow any gin-and-water?—No; I allowed animal broth and wine.

Did you allow wine during fever, or for the recovery?—During the course of the fever and for the recovery.

Do you recollct the chapel being ventilated about that time?—No.

Dr. J. Woodforde.
(18 June.)

Was it by your orders that the prisoners were washed in cold water every morning?—I ordered them to be washed in lukewarm water.

You have not attended the gaol since 1817?—No.

Re-examined by Mr. White.—Did you hear, during your attendance in the gaol, any complaints of excoriated feet?—None.

Examined by the Commissioners.—Whether Halkin was deranged or not, if you had ordered him to have on a blister, would you have put him in body-irons to prevent him from removing the blister, or would you have ordered on a strait-waistcoat?—A strait-waistcoat.

Henry Badcock called in; and Sworn.

H. Badcock.

Where do you reside?—At Wells.

Examined by Mr. White.—How long have you known Mr. Bridle?—Nearly four years.

Is he a man of habitual drunkenness, or of sober habits?—Of sober habits. I have never seen him drunk in my life, or any thing like it.

Did you ever play cards with him?—I have.

What game have you generally played with him?—A sixpenny rubber at whist.

Do you remember playing with him in this house?—Yes.

Have you ever played here when Mr. Robertson, an apothecary of this place, has been present?—I think I have.

Did you ever play with Mr. Bridle, or see him play the game called "jacobus," or "gobble?"—I never did; nor did I ever see Mr. Bridle play the game.

Are you most positive upon that subject, or have you any doubt upon your mind about it?—I am most positive; I have no doubt whatever.

If Mr. Robertson should have stated it upon oath that you played at gobble in his presence, would that have been true or false?—Nothing would have been more false.

Then you positively swear you never played gobble with Mr. Bridle in your life, nor ever saw him play it?—I do positively swear I never have.

Have you ever purchased a quantity of cloth belonging to the county from this gaol?—Yes.

How long ago?—About October last.

To about what amount?—About 90*l.*

That money is still owing?—Yes, it is.

Cross-examined by Mr. Hunt.—Do you mean to say that is the only thing you ever had from the county?—Yes.

When you came from home, did you know that you were to be called as a witness?—No, I did not.

Did you, on the 16th February 1820, have twenty-two yards of mixed beaver?—Yes, I beg pardon, I had.

That you paid for, and forgot?—I paid for it.

But you have not paid for the other?—I have not.

How long had you the beaver before you paid for it?—I don't remember.

Were you indebted 6*l.* 13*s.* 6*d.* when you had the other goods delivered?—I don't remember.

But you are quite sure you have paid for it?—It is paid for.

Do you mean anybody else paid for it?—I paid for it.

Have you got the receipt?—I believe not; I know by my books at home when it was paid for.

Of whom did you purchase the last lot of things?—Of Mr. Bridle.

Sixty-six yards of blanketing, at 4*s.* per yard; what sort was it?—Common blanketing.

Will you swear that the wool did not cost more before it was made?—I will swear that I gave more for it than it was worth.

Will you swear that the wool, before it was manufactured, did not cost more than you paid for the blankets?—I don't know any thing of the price of wool.

Seventy-two yards of broad beaver, at 5*s.* 6*d.* per yard; was that more than it was worth?—I did not think it was more than it was worth.

Will

H. Badcock.

(18 June.)

Will you swear that the raw materials there did not cost more than you gave for the manufactured goods?—I know nothing of the raw materials; I should be glad to give you seven and a half per cent. to take them off my hands.

When you purchased these things did you agree for any length of credit?—I did not.

Is there any reason why you have not paid for them?—My reason is, that I have always twelve months credit for woollen cloths, and I expected the same here.

You did not give Mr. Bridle any credit in lieu of this, for any bill that he owes you?—No; that bill still remains owing the county.

Does Mr. Bridle owe you any bill now, and did he at that time?—Mr. Bridle had paid me a bill before, and he owes me one now.

What time did you pay for the twenty-two yards of mixed beaver?—I don't remember; I cannot say when it was.

Was it paid six months ago?—I should rather think it must have been.

Will you swear it was three months ago?—Yes; I think it must have been paid more than six months ago.

Have you frequently visited Mr. Bridle?—Yes.

Frequently slept in the house?—I have slept in the house several times.

He lodges in your house at Wells at the time of the sessions?—He does.

The judges occupy your apartments during the assizes?—Yes.

And the gaoler at the sessions?—Mr. Bridle frequently slept at my house during the sessions.

Do you mean to say that the highest you ever saw Mr. Bridle play was sixpenny whist?—No; I have seen him play higher, I have seen him play one shilling whist.

Bet a trifle on the odd trick?—He might; but never more than 6*d*.

You never gambled higher, perhaps?—Very rarely.

You never have been playing in the gaol when there has been higher than a shilling or sixpenny whist?—No, never.

Perhaps you never played jacobus or gobble?—No.

Three-card loo?—I may have played at sixpenny three-card loo; but even that I don't remember; the other games I don't even know them.

You never played at three-card loo in the gaol when there has been several pounds on the table?—No; nor did I ever see such a thing, when I have not been playing.

How much money have you ever seen upon the table in the gaol, when Mr. Kinnear has been playing?—Perhaps four or five shillings.

Who might have been present at three-card loo?—I can't say.

Mrs. Badcock?—I don't recollect playing three-card loo in the house; I have played it, and might have played it here, but I cannot say that I did.

But you positively swear that there was never 5*l*. upon the table in the gaol when you were present?—I positively swear it.

Then if Mr. Kinnear, who was one of the party, swears that 5*l*. as a stake at cards, were upon the table in Mr. Bridle's house when you were present, he swears false?—Yes; if he or any one else swears it, it is false.

And you have sworn true, when you swear that you paid that bill of six pounds odd shillings three months ago?—Yes.

And you have also sworn true, when you say that it is entered in your books as paid?—Yes.

Examined by the Commissioners.—Are you in the linen trade?—I am a retail linen draper.

Lydia Badcock.

L. Badcock.

I believe you are the wife of Mr. Badcock, who has been just examined?—Yes.

Examined by Mr. White.—I believe when Mr. Badcock married you you were a widow?—Yes.

Of whom?—Captain Lamb.

Was he captain in the army or navy?—Army.

How long have you been acquainted with Mr. Bridle?—About four years.

Have you been in the habit of visiting at his house?—Yes.

Have you ever played cards in his house?—Yes.

Do you remember on any particular occasion playing cards in this house, when Mr. Robertson was here?—Yes.

L. Badcock.

(18 June.)

Do you recollect who were of the party?—Yes.

Will you name the persons who were present?—Mr. Ebery, Mr. Webber, Mr. Bridle, Mrs. Bridle, Mr. Robertson and myself.

Who was Mr. Ebery?—The clergyman of this town.

Who was Mr. We bber?—Mrs. Bridle's father.

Did Mr. Bridle join you in the early part of the evening or not?—No.

About what time did he join you?—About half-past nine.

Do you happen to know where he had been previously?—He was in his office, writing.

Do you recollect any observation being made on Mr. Bridle's coming into the room?—Yes; Mrs. Bridle told Mr. Bridle there was a new game introduced by Mr. Kinnear; that it was a simple game and might soon be learnt; they called it jacobus, Mrs. Bridle said. Mr. Bridle said that he had five minutes to spare, and that he was willing to learn any thing new. We then sat down and played; and in the course of five or ten minutes there was a loo of 5 *l.* Mrs. Bridle was looed; Mr. Webber and myself then got up and said we would not play for so much money, and I proposed Mrs. Bridle's paying 1 *l.* to play for that, and then the game to conclude. We played for the 1 *l.* and the game ended, and we left the table. Mr. Bridle thanked Mr. Kinnear for his kindness, sarcastically, for introducing such a game in his house, and said that he desired that it should never be repeated under his roof.

Did Mrs. Bridle put up, or was she permitted to put the 5 *l.* upon the table?—No.

Do you positively state that any more than 1 *l.* was upon the table as a stake during that evening?—There was only 1 *l.*

Was Mr. Bridle frequently in the habit of playing cards when you have been visiting here?—No; very seldom.

Where did he generally spend his evenings when you were on visits here?—In the office.

When he did play cards, what was generally the game?—Whist or sixpenny loo.

Did he appear to have a fondness for cards, or did he ever refuse to play?—He generally refused.

Is he a man of drunken or sober habits?—I should consider Mr. Bridle to be a very sober man, particularly so.

Did you ever in your life see him intoxicated?—No.

You are sure Mr. Robertson was present at the time you mentioned?—Yes, he was there for a few minutes.

Cross-examined by Mr. Hunt.—Have not you forgot any of the party?—I think not.

Was not Mr. Kinnear present?—Yes, I mentioned him as having introduced the game.

Mr. Badcock was not present?—No, certainly not.

I believe cards were very frequently played in Mr. Bridle's house, though he did not make one of the party?—I have played sometimes oftener than with Mr. Bridle.

Do you recollect playing with Mrs. Maynard when Mr. Kinnear was present?—No, never.

You were in the party at the last election?—Yes.

Mrs. Maynard was at that party?—She might have been; she was at one election; I don't know whether it was the last; I remember dining in this room.

Don't you remember Mr. Bridle mixing the cards together on the table?—I don't remember playing at cards that evening.

Don't you remember you and Mr. Badcock going to bed before the party broke up?—No.

You are quite sure there was never more than 1 *l.* upon the table upon the occasion you mentioned?—No; but I did not very well understand the game.

And that was the 1 *l.* Mrs. Bridle put down. Do you understand the game now?—Yes.

Then how could Mrs. Bridle be looed 5 *l.*?—I don't know, unless it was the money was not put down on the table.

Is not this the way of the game being played, that the person is looed the sum that is upon the table?—It was not so then; but I have played it that way since; that was different.

In what way then was Mrs. Bridle looed 5 *l.*?—I can't tell, I think they called it gobble; I never played it before or since as they played it then.

Then

L. Badcock. (18 June.)

Then there must have been 5 *l.* played for, although not on the table, or else Mrs. Bridle could not have been looed 5 *l.*—I think she was doubled.

Then there was 2 *l.* 10 *s.* on the table?—No, there was nothing.

How then did it happen that Mrs. Bridle was looed 5 *l.*?—I don't know; I never played it before or since: I have played three-card loo since, but it was played differently.

What did you mean by doubled?—I can't say positively, but I think it was double the sum that was put in before; but I never paid any attention to it.

Double the sum that was put in where?—Double what was to be put on the table I suppose.

But you are quite sure Mrs. Bridle was looed 5 *l.*?—Yes.

But how she came to be looed 5 *l.* when never more than 1 *l.* was upon the table, you can't tell?—No, I could not understand it.

Then if Mr. Kinnear and Mr. Robertson have sworn that 5 *l.* was upon the table when Mrs. Bridle was looed, they have sworn what is not true?—That they have.

And if Mr. Bridle has admitted that fact in his defence, he has admitted more than there was occasion for?—£. 5 were not played for.

If 5 *l.* were not played for, how could Mrs. Bridle be looed 5 *l.*?—I told you I supposed it was double what was put in.

Then the fact was, that Mrs. Bridle lost 5 *l.* but you forgave her 4 *l.* out of it?—That was the fact.

Did not Mrs. Bridle and you do me and Mr. Kinnear the honour of a visit?—Yes.

Did you know at that time that my family were excluded from visiting me?—I did not know it.

Examined by Mr. White.—You are quite sure Mrs. Bridle was not permitted to pay more than 1 *l.*?—Yes.

And that Mr. Bridle interposed, and directed that the game should never be repeated in his house?—Yes.

Martin Webber, called in; and Sworn.

M. Webber.

Where do you reside?—At Plaistow in Essex.

You formerly lived in this neighbourhood?—Yes, in Ilchester.

Examined by Mr. White.—Did you occupy a large farm in this parish?—Yes, I did.

Of how much a year?—£. 1,400 a year.

You are the father-in-law of Mr. Bridle?—Yes, I am.

How long have you known Mr. Bridle?—Between twelve and thirteen years.

During the time you have known him, has he been a man of drunken or sober habits?—Of sober.

Living in the same parish, you probably were in the habit of spending your evenings with him?—Yes.

Were cards ever introduced on those occasions?—At times.

Was it a common practice?—Not very often.

What game was usually played?—Generally whist.

What was the stake?—Never played more than sixpenny points; I have known Mr. Bridle bet sixpence on the odd trick.

Was you ever present when any other game was introduced?—I was here once.

Who were the party at that time?—Mrs. Badcock, Mr. Kinnear, Mr. Ebery; I believe that was all: Mr. Bridle did not join directly.

Do you recollect Mr. Robertson was one of the party?—He did not play; but I believe he was in the room.

Do you recollect what time Mr. Bridle came into the room?—I can't say; I should think about eight o'clock.

Do you know where he was before he joined the party?—He was in the other room, writing; he drank tea with us, and then said he would join us directly.

Was any observation made on Mr. Bridle joining the party?—Yes, there was.

By whom, and what was it?—Mrs. Bridle said, we are playing at a new game that Mr. Kinnear and Mr. Ebery had proposed; I forget what they called it; I never saw it before, nor since: there were three cards, and you were looed double whatever was on the table: gobbler or gobble, or some such name. We played on until something considerable

M. Webber. (18 June.)

was looed; there was a good deal of money upon the table. I said to Mr. Bridle, this is a new game, I don't like it at all; I don't know whether you do or no. Mr. Bridle said, I see it is quite a gambling game, or something like that. That was all that passed then, until there was a heavy loo upon the table. If I recollect right there was fifty shillings upon the table to be played for, and then two or three played, and Mrs. Bridle was looed; so I said directly I would have no more of that game; and then, instead of her putting in five pounds, they all agreed she should put down one pound, and then play for that and shut up; so they all played for that pound, and there was an end to the game.

Did Mr. Bridle say any thing upon that occasion?—Yes; he said, if this is your new game, I will have no more of it in my house.

Do you recollect whether Mr. Badcock was present that evening?—No, he was not; he came next morning, and I told him what had happened over night.

Cross-examined by Mr. Hunt.—You have talked this thing over with Mr. Kinnear, in London?—I saw Mr. Kinnear on Friday, and he asked what I was coming down about; I told him I did not know. He said, I don't know what it can be for, except it be for playing cards.

But did not he and you talk over about the cards, and what money was upon the table that night?—Yes; I told him I recollected there was fifty shillings upon the table that night.

And did not he remind you who were the two people that were looed to make up five pounds; that Mrs. Bridle was looed?—No; Mrs. Bridle was looed double what was on the table.

Edward Thompson called in; and affirmed, (being a Quaker.)

E. Thompson.

Where do you reside?—At Nether Compton, near Sherborn in Dorsetshire.

Did you accompany any person to this gaol who was brought in custody for debt within twelve months?—Yes.

When was it?—27th January last.

Who was that person?—Hester Churchus.

Is she one of the society of friends?—She is.

Did you see the governor of this gaol on your arrival?—I saw him in the room on the right hand, about ten minutes after I came in.

Was Hester Churchus present?—Yes.

Will you state what passed on that occasion?—The governor said he was sorry we had not come earlier in the day, because he had not such accommodation as he could have wished for the reception of Hester Churchus. He then mentioned that there was only one female debtor in the goal at that time, and inquired whether she would wish for company. I don't know whether the inquiry came from him, or whether it arose from myself, whether it would be necessary for her to have company or not. We mentioned, that Hester Churchus much wished to be alone if possible. He said, that if that was the case, the only place he could offer was a small room at the back part of the gaol. He then asked me to accompany him to this place, that I might see it. I went, accompanied by Hester Churchus, and after seeing it, we said that we should be obliged if she could be permitted to be there by herself; I then returned to the room with Hester Churchus and the governor. The governor then remarked, that it would be well to mention it to the visiting magistrate.

During her confinement, had you frequent opportunities of seeing her?—I think I was here six times.

How long, before she was liberated, had you seen her in custody?—I don't recollect, probably two days.

Are you quite sure it was but a short time before she was liberated?—Yes; I am.

Have you seen her since she has been at liberty?—I have not.

Did Mr. Bridle interfere with the plaintiffs, at whose suit she was confined, to effect her liberation?—Yes; I was employed by her relations to effect her release, and Mr. Bridle acted on behalf of the plaintiffs.

In what way did Mr. Bridle act?—I had offered a sum of money for her release previous to her coming here. They did not accept the proposals, and she was taken to gaol. Afterwards, Mr. Bridle at my request spoke to the plaintiffs on the subject, and through his mediation she was discharged.

Cross-examined by Mr. Hunt.—You have never seen Miss Churchus since she was out of custody?—No.

Where

E. Thompson.
(18 June.)

Where did you visit her?—Sometimes in the conversation-room, and once in the parlour on the right-hand, and once or twice in the other parlour.

Did you ever see her in the cell after she inhabited it?—No.

When she came in and had the choice of going there, was she not told that she must go there or with the other debtor woman?—I did not hear it.

Then do you mean, that she had any choice at all, or was that the only place offered her?—There was another place mentioned, but I did not see it. The governor said he must fit her up a place, but I did not particularly attend to that.

I thought you said that was the only place she could go alone to?—I believe not.

Did he or did he not tell you, that that was the only place he could offer you?—I do not recollect.

You first said it was the only place he could offer you; you have since said he talked of fitting up a place; now you don't recollect which he said; which statement do you mean to abide by?—I rather think he said it was the only place he could offer; and after, telling us respecting the place where the female debtor was.

You saw the place?—Yes.

You called it a room, was it not a refractory cell with an iron bedstead and a chain to it, and nothing else in the room?—Yes; I don't know that it was a refractory cell; I don't know the difference in cells.

Was there any table, chair, or other furniture in the room except the bedstead?—Not while I was there.

Did you see enough of it to see that when the door was opened the turnkey could see her in bed?—That must have been the case.

Re-examined by Mr. White.—She saw it before she entered it?—Yes.

And it was her own choice?—It was.

Examined by the Commissioners.—Was any other offered her except the female debtors?—I don't know.

But she did not object to it?—No.

[Adjourned at 7 P. M. until 9 To-morrow morning.

TUESDAY, 19th JUNE 1821. The Commissioners assembled at the Gaol, at 9, A. M.

Charles Collins called in; and Sworn.

C. Collins.
(19 June.)

WHERE do you live?—At Bridgewater.

Was you ever imprisoned in this gaol?—Yes.

What as?—Misdemeanor; obstructing an officer of Excise.

How long were you imprisoned?—15th November 1819, to 3d June 1820.

Examined by Mr. White.—Were you during your confinement here employed as a painter in the gaol?—Yes.

Were you employed in various parts of the gaol?—Yes.

Did that enable you to have a complete knowledge of the state of the gaol and the prisoners?—Yes.

During the time of your confinement, what was the state of the cleanliness of the gaol and the prisoners?—I considered it the cleanest place I ever saw.

I speak of the prisoners as to their persons?—They were always kept clean.

How were they treated by the governor and his officers?—With the greatest humanity.

How often was their linen changed?—Once a week, and occasionally twice.

What parts of the dress are you speaking of?—Shirts and stockings.

The stockings are woollen; do you mean that they were changed once a week?—Yes.

Were their general dresses ever changed?—They were.

How often?—They were not changed at particular times, but as occasion required.

What attention was paid to the sick during the time of your imprisonment?—Every attention that was necessary.

Were you sick at any time during your confinement?—I was, eight or ten days, I am not certain.

What was the nature of your complaint?—The painters cholic.

During your illness what attention was paid to you?—I was visited once a day regular by the doctor.

Had you or not any articles of nourishment found you?—I had gruel, and tea and meat whenever I asked for it.

Had you then every thing that you required during your illness?—I had; and more than I could expect in the situation I was placed in.

C. Collins.

(19 June.)

Who administered those comforts to you?—Mrs. Hobbs.

Did any one besides Mrs. Hobbs bring you articles of nourishment?—I had tea and gruel sent me several times from Mr. Bridle's house.

Was Mr. Bridle, or not, in the habit of visiting the wards during the time of your imprisonment?—He was, regularly, when he was at home.

Was he in the habit of asking any questions when he visited the different parts of the gaol?—He generally inquired after our health, and whether we had any complaint to make against any officer in the gaol, bread or any thing, or any other thing that it was necessary to make inquiry into.

Did you hear any of the prisoners complain whilst you were in custody?—I did not.

Did you ever hear Mr. Bridle swear whilst you were in custody?—I never did.

Did you ever see Mr. Bridle tipsy whilst you were in custody?—I did not.

Must you not necessarily have seen Mr. Bridle frequently, in consequence of being employed in different parts of the gaol as a painter?—I saw him several times a day when he was at home.

Was Mr. Bridle in the habit of attending duty at chapel on Sundays?—I never knew him miss when at home.

Were you placed in a situation in chapel that you could see him when there?—I was.

State the part of the chapel you sat in?—Near the communion-table.

State Mr. Bridle's situation at chapel?—In the gallery; nearly over it.

Is that a situation in which he could be seen from all parts of the chapel, or are there some parts where he could not be seen?—There is a part where he could not be seen.

What description of persons sat in the parts from whence Mr. Bridle could not be seen?—The time men.

Were you employed to paint Mr. Bridle's gig while you were in custody?—I was.

Who purchased the colours that were used on that occasion?—Mr. Bridle.

Do you know of whom he purchased them?—The man was sent to Mr. Wellington's, of Yeovil, for them.

Who procured the varnish?—A gentleman from Bath.

At whose request?—Mr. Bridle's.

Who paid you for your work?—Mr. Bridle.

How much did he pay you?—Ten shillings.

Was any thing or not deducted from your time by the taskmaster on that occasion?—Four shillings.

For what time was that?—Two weeks.

Did you ever know Mr. Bridle interfere respecting the bread in the gaol?—I have.

State the occasion, and what he did?—The bread was complained of by the prisoners; and Mr. Bridle took a loaf, and carried it to the magistrates.

Was the bread complained of at any other time during your confinement?—Several times.

From the knowledge you obtained of Mr. Bridle during your confinement, what is your opinion of his humanity to the prisoners?—Very good.

Cross-examined by Mr. Hunt.—How long have you been in Ilchester this time?—I came on Thursday last.

Will any other person give this character of Mr. Bridle that you have?—Yes, I expect others will.

Who do you expect?—Those that have been under his charge.

Can you name any that you expect will?—I don't know their names particularly.

You don't know any one that will?—I hear several speak highly of him.

Where have you been staying?—In Ilchester; I don't know the name of the house; I can't recollect it.

Do you recollect the name of the person that keeps it?—Pitman.

What were you committed for?—An assault and riot.

You were employed painting the house?—I was.

This room?—Yes.

How much did Mr. Bridle give you for that?—I can't say how much; he gave me money at different times: but he did not know of painting this room until it was finished, and other rooms, and the staircase.

It was all done without his knowledge?—It was; Mr. Hobbs gave me the orders.

Where did that paint come from?—Mr. Hobbs sent for it.

From where?—I can't say from where.

Who

C. Collins.

(19 June.)

Who helped you to paint this house?—I painted the house; I had a man to assist me in removing the ladder; I don't know his name.

Was it a prisoner or not?—He was a prisoner.

And you swear you don't know his name?—I swear I don't know his name; the man that assisted me I knew he was a convict.

How long were you painting the house?—A fortnight or three weeks.

And you swear Mr. Bridle knew nothing about it till it was finished?—Not about painting this room and others, and the staircase; it was done in his absence; but he knew it when he came home of course.

Did he give you any thing?—He gave me money different times in London.

Then he did not give you money while you were in custody here, but he gave it you in London?—I was a prisoner in London under his charge.

Did he give you any money while you were a prisoner here?—I don't recollect.

Where did he give you the 10*s.* for painting the gig?—In Horsemonger-lane prison.

Then do you mean to say that you don't recollect whether he did or did not give you any money while you were in prison here?—I don't recollect whether he did or not.

Did he give you money several times?—Yes, in Horsemonger-lane.

What did he give you money for several times in Horsemonger-lane?—For supporting me.

But what was it for?—10 *s.* was for the gig.

When did Hobbs deduct the 4*s.* for painting the gig?—When I was going out of the prison.

Then you received your 1*s.* per week of the county as you went on?—I drew no money at all the whole time I was here, until I went out. I drew some when I went to Taunton assizes.

Then you worked before trial?—I did.

You always knew when Mr. Bridle was at home, and when he was out?—Yes, nearly.

What time did he get up in the morning?—Different times.

What time generally?—I can't say.

And you were treated remarkably well while you were here?—I was; better than I could expect.

Did you ever have any beer to drink in the house when you were at work?—Not in the house; I had beer from the county; I had cyder in the house, but not to Mr. Bridle's knowledge.

Do you mean that you were a fortnight painting the gig, without having any beer given you to drink?—I was but three days painting the gig.

What was the fortnight's wages stopped for?—Mr. Hobbs stopped it; I spoke about it, and he said he had made up the books, and it could not be altered.

What did he say the fortnight's wages were stopped for?—I don't recollect.

You recollect that Mr. Bridle was at chapel every Sunday when he was at home?—While I was here.

But you can't recollect what Hobbs stopped the fortnight's wages for?—No; I can't recollect. He asked me how long I was painting the gig. I told him, three days. He said he had stopped 4*s.* I don't know what else it was for, unless it was for painting his (Hobbs's) chairs.

Was it not for painting flower-pots and flower-stands?—No, not to my knowledge; I painted none.

Where did the paint come from that you painted Hobbs's chairs with?—He sent for it from Yeovil, he told me; the varnish for them I made myself.

Did not you understand that all the paint you used here was sent for from Mr. Wellington's, at Yeovil?—No; I know Mr. Bridle's was sent for, for the gig.

Do you know that it was not charged to the county?—Yes, I do.

How do you know that?—Because I heard Mr. Bridle give the orders, and I saw the note that was sent.

What did the note express?—I can't say how it was expressed, but I know what colours were used, because I gave the order.

What were the orders that Mr. Bridle gave, by which you know they were not to be charged to the county?—I heard Mr. Bridle tell the man that the note would say what colours were to be sent, and he desired the man to tell Mr. Wellington that they were to be set down to him alone.

What was the name of the man he sent this note by?—His name was Corry.

Who helped you to paint the gig?—No one. A carpenter named Hodges helped to unhang it.

Do you mean to say that you had nothing to drink while you were painting the gig?—No.

Do you mean to say that you were not drunk and laid down under the gig?—No, I was not in that posture; I took a little wine too much one day, that Mr. Hobbs gave me in Mr. Bridle's absence.

C. Collins.

(19 June.)

Was that the only time you got a little tipsy while you were in the gaol?—It was the only time. I was not tipsy then, but the gentleman that gave it to me was.

Do you remember coming home drunk into the ward among the men?—Never drunk.

Tipsy perhaps?—I had a little too much; I had perhaps half a pint.

Do you remember, when in that state, quarrelling with a prisoner named Gillard, and being reported?—I was not tipsy then; he struck me about roasting some meat at the fire. We were both reported.

What punishment did you have for that squabble?—We were kept locked out of the ward some hours; I think two. Mr. Hobbs came, and told us to be peaceable, and let us in.

Striking is not always punished by being put in irons?—Not always; I was kept out.

You are quite sure that none of the paint that was used about the gig was county paint?—I am.

As you gave the order, you can tell what colours were sent for?—I ordered Prussian blue, Oxford ochre, patent yellow, verdigris, oil of turpentine. I am not certain whether I used any drier or not for the colour; if none came, I used none. The varnish came from Bath. There were colours enough left to paint two or three gigs more, that were not used while I was here. Pummice stone, I forgot to mention, came from Yeovil.

Who helped to mix up the paint?—No one; the man that helped to unhang it saw me do it, and that was all; I could not trust any one else, that did not know the nature of it.

And you are quite sure the oil of turpentine, verdigris and driers, were not taken out of the shop?—Yes; Mr. Bridle gave me very particular orders not to use any thing that belonged to the county.

You did not use the county brushes and pots?—The brushes were my own; I don't know whose were the pots, they were new when they were brought to me.

Did you know a female prisoner by the name of Jane Longman?—Yes, I have seen her.

Was she at work in the house when you were working in it?—I saw her once or twice in the house, but I was not allowed to speak.

You never spoke to her then?—Yes, I have, but I knew it was against orders.

Who gave you those orders not to speak?—I knew it was the orders of the prison, for men not to have any communication with the women.

Did you ever offer her 2*s.* to have connection with her?—Never.

Then if you told Hodges and Pow and other men in the yard, that you had done so, you told an untruth?—I never did tell them so.

Then if she told Mrs. Bridle so, she told an untruth?—She did.

Could you in chapel always see Mr. Bridle, when he was there?—Always, when he stood up, I could. I was not always at church myself; I was ill, I believe, two Sundays, and was not able to go.

Then will you swear that Mr. Bridle was at church every Sunday that you were there, when he was at home, except the two Sundays that you were ill?—Yes.

Then if two turnkeys, Pike and Davis, have sworn that he was frequently absent, they have sworn what is untrue?—He was frequently absent on business.

Were you out of your ward on Sunday, so as to ascertain whether Mr. Bridle was at home?—No, no more than going to chapel.

Then how do you know whether he was at home when you did not see him at chapel, or whether he was out upon business?—I have seen him visit the wards on a Sunday.

Then how could you know whether he was at home or absent on business, when you did not see him at chapel, or visit the wards?—I have heard the officers say he was at home, and different times I have seen him, when the trap door was open, pass and repass.

But how did you know he was not at home when you were locked up in the ward?—I was never locked up in the ward but those two Sundays when I was ill.

I thought you said you were always locked up on Sundays?—So I was, except during chapel; some Sunday mornings I have gone round the gaol with the bread.

When Mr. Bridle was not at chapel how did you know he was out upon business?—Because I have seen him go away with prisoners and convicts to the sessions and assizes.

Did you always see him go away?—I can't say always, but I knew when he was away, from prisoners and others.

Did you always see him come home?—Not immediately he came home; but I have seen him soon afterwards, or next morning.

And you positively swear he was always at church when he was at home, and when you were there?—When I was there.

And when you were not there you had the painters cholic?—I had.

And that lasted about a fortnight?—Somewhere about that time; I was two Sundays absent on account of it.

What time of the year was that?—Between November and June; I think about the month of March 1820.

The

The doctor attended you, and never missed a day?—I don't think he did.

C. Collins.

(19 June.)

You said Mr. Bridle visited your wards regular when he was at home?—I did not say regular, I said different times; I don't mean that he visited the wards at regular hours in the day, but that he visited them sometimes once, and sometimes twice a week; I have seen him in the ward twice in one day, and sometimes more or less.

At these times he always asked after your health, and whether you had any complaints to make?—He did, always.

Did you ever know Mr. Bridle get any redress when he took the bread to the magistrates?—The magistrates came and viewed the bread; I am not certain whether the bread was sent back or not, but I rather think it was served out; but it proved to be good, but I am not positive.

Was the bread ever condemned and sent away?—Yes, it was.

And fresh bread got?—Yes.

And that you swear to?—And that I swear to.

And that happened while you were here?—Yes.

Re-examined by Mr. White.—Is Pitman's a public house or a private house?—A public house.

You were employed in painting this house and various parts of the gaol while you were here?—Yes.

Don't you consider this house as part of the gaol?—I do.

Don't you know it is repaired and painted at the expense of the county?—I have heard so.

For what purpose were you taken to London by Mr. Bridle?—To receive judgment in the court of King's Bench.

Were you brought back to this prison?—I was.

Were you in Horsemonger prison the whole time that you were in London?—I was in the lodge of Horsemonger-lane prison for safe custody.

Had you any money there besides what was supplied you by Mr. Bridle?—I had some sent me from Bridgewater in a letter.

Had you any friend in London besides Mr. Bridle?—I had a sister there.

For what purpose did you apply to Mr. Bridle for money there?—To get something to eat.

Was it because you were working for the county that you had beer from the county?—Mr. Hobbs, the taskmaster, informed me such.

Did you perform your work under the superintendence of the taskmaster?—He gave me orders for every thing I did.

When you were employed in the house, was an officer always employed to superintend you?—Sometimes there was, and sometimes there was not: sometimes Mr. Hobbs was here, and sometimes Mr. Davis.

Did Mr. Bridle in your hearing tell Hobbs to stop your time while you were painting the gig?—He did.

Was it possible for Mr. Bridle to be absent a day while you were here, without your knowing it?—No; excepting when I was ill.

Was your complaint a dangerous one?—It is considered so by physicians.

Were you attended at all by your surgeon's assistant?—Sometimes by Mr. Bryer, and sometimes by the young gentleman that attends for him.

You mean Mr. Valentine?—I believe that is his name.

Were you visited at all during your illness by any of the surgeons from the town?—Not to my recollection.

Were you confined to your room the whole time of your illness?—Not the whole time.

Were you confined to your room the greatest part of your illness?—About five days, I think.

When you were not confined to your room, was the doctor as punctual in his attendance as when you were confined?—He was.

John Morris called in; and Sworn.

Where do you live?—At Bridgewater.

J. Morris.

Was you ever in this prison as a debtor?—I was.

For how long?—Six months and some days.

How long ago were you discharged?—Four years, 16th of May last.

Examined by Mr. White.—Whilst you were in custody, what was the state of the prison and prisoners with regard to cleanliness?—Very good.

What was the conduct of the governor and his officers to the prisoners while you were here?—Very good indeed.

J. Morris.

(19 June.)

Was he or not attentive and humane to the prisoners whilst you were here?—No gentleman could be more attentive; they had every thing they could wish for; meat, gruel, tea and coffee.

Was Mr. Bridle in the habit of attending his duties in the chapel whilst you were here?—Yes; he never missed, except he was from Ilchester; and I never missed myself but once.

Did you ever hear a complaint of his conduct whilst you were here?—Never once by any one prisoner whatever.

Did you ever hear any prisoner speak in his favour whilst you were here?—Yes; a great number, and since I have been gone.

What ward were you in when there?—What is called the gentleman's ward.

How often was Mr. Bridle in the habit of visiting that ward while you were there?—Sometimes four or five times a week, and sometimes not so often; and he always asked whether we were all comfortable, and whether we had any complaints of any sort to make.

Were any of the debtors of that ward sick whilst you were there?—Yes.

Were their friends permitted to sit up with them all night?—Yes; they were with them continually, day and night.

Was the governor in the habit of attending those persons?—Yes; generally once a day, and sometimes oftener.

What did he say to them upon visiting them?—He hoped they had every thing comfortable that they could wish for.

Were they regularly supplied with any nourishment on those occasions?—Yes; teas and coffees and gruel made use of, and meat of every sort that they would like.

Did you ever know an instance of any of these articles being withheld from them?—Never.

Did you ever hear Mr. Bridle swear?—Never to my knowledge.

From the experience you have had of him, what is your opinion of his general character for humanity to the prisoners?—No gentleman could behave better to them in every respect whatever; they had every thing they could wish for, and he was as good to every body as any one could be whatever; in a gentleman's house, they could not be more attentive.

You keep an inn, I believe?—I do.

Have you seen many prisoners after they have been discharged from the gaol at your house, as an inn?—Yes, I have, a vast number; if I said fifty I should not tell a story.

Have they spoken to you of Mr. Bridle's conduct to them?—That it was very good indeed; never could wish for any thing better.

Did you know a prisoner named Sheppard whilst you were here?—I did.

Was he in custody the whole time you were here?—Yes.

Is he a blasphemous debtor?—He must be very different now to what he was when I was here; he was then a very conscientious upright man at the time I was here.

Then I need not ask you if he was an abandoned debtor?—Not any thing of the sort. I never heard him reprobate, nor any thing of the sort.

Was he in the habit of attending divine service whilst you were here?—Yes, he was.

Are you speaking of Sheppard?—Yes, he used to go sometimes.

Cross-examined by Mr. Hunt.—Was it in the gentleman's ward where the sick prisoners were?—Yes; there were two or three while I was there.

They received the gruel, meat, tea and coffee from the county the same as the others at that time?—Yes.

You know nothing of what was going on in the other parts of the gaol?—No; I went to Mr. Bridle's to make soup two or three times, but no further.

Was that when he had company?—No, when he wanted a bason of soup; when he was not well; and at other times.

You keep a public-house at Bridgewater?—I do; the Duke of Wellington.

The persons who use your house rap out an oath now and then without your thinking much of it, I suppose?—Yes.

You have not been in gaol here since 1817?—No.

Therefore great alterations may have since taken place without your knowing any thing of the matter?—I think they have been very good alterations, as far as I have heard.

Do you mean to say that you know yourself what has been doing here since you were confined?—No.

Have you ever heard of a blister having been put upon a man's head as a punishment since you were here?—No; I never heard a blister mentioned.

Re-examined by Mr. White.—Have you never heard of Mr. Hunt's publication called the Peep?—There has been some publication of that sort, because they have been offered in my house for sale.

Did not you buy one of them?—No.

Robert Chedzoy called in; and Sworn.

R. Chedzoy.
(19 June.)

Where do you live?—At Bridgewater.

Was you ever a debtor in this prison?—Yes.

How long?—About five months.

When were you discharged?—About four years ago last March.

Examined by Mr. White.—Were you ill whilst you were here?—Yes, very ill.

Of what disease?—I was taken down in the fever.

Do you mean the fever that prevailed in the gaol at that time?—Yes; I think it was called the typhus fever.

Did you see Mr. Bridle during your illness?—Yes, I did.

What was his conduct towards you during your illness?—He asked me how I was? I told him I was very ill, when he asked me.

Did he ask these questions with kindness and humanity, or with indifference?—Very kind sir; very kind.

Were these visits of his frequent or otherwise?—I saw him at different times in the ward where I was confined.

Were his visits attended with personal risk and danger?—Yes, if he thought it dangerous.

Was he kind and obliging to the debtors in general, or otherwise?—Yes, he was always.

Did he send you any articles of nourishment during your illness?—Yes, he did. I had every thing; I had every comfort, of wine, gruel, or rice, or broth, or any thing I could make use of.

Was you ever refused any thing that you required?—Not any thing at all.

Did you ever hear Mr. Bridle swear in your life?—Never, during the time I was here.

Have you heard him swear since?—No.

Did you ever hear any prisoner complain of him?—No; I have heard many prisoners say how kind Mr. Bridle was to them.

Did you attend the chapel when in health while you were here?—Yes, I did, regularly.

Did Mr. Bridle attend while you were there?—He was always there when I was there.

Were you ill when you were discharged from prison?—Yes, I was.

Did you receive any acts of kindness from him when you were discharged?—I did; I had a post-chaise, and Mr. Bridle was so kind as to assist to help me into the carriage, and he gave me a bottle of mulled wine to take on the road.

Who paid for the hire of the chaise?—I don't know; I did not pay any thing. There was a man to assist me; I was very ill. The man told my wife he thought I should have died on the road.

Who sent that man with you?—Mr. Bridle.

Did you pay the man any thing for his trouble?—No.

Why did not you?—I had not a farthing about me.

Were you required to pay any thing?—No; no person ever asked me for any thing.

Did you know a prisoner of the name of Sheppard while you were here?—Yes, I did, perfectly well.

Is he a blasphemous man?—No; I never heard.

I ask whether he was a blasphemous man?—No, I never heard him make an oath while I was here. He was always very kind to me.

Is he an abandoned character?—I never heard that he was.

Cross-examined by Mr. Hunt.—How often were you at chapel?—I attended regularly before I was taken ill.

How many Sundays were you absent before you went home?—About two months.

You had the fever very bad when you went home?—Yes, I laid ill a great while.

You were packed off home to your wife and family, fever and all?—I was very ill when I got home.

Did not you understand that the chaise was paid for by the county?—No, I did not understand any thing about it.

Was any money divided among you that was took out of the poor-box?—Not while I was here.

And you left it four years last March?—Yes.

Therefore you know nothing what has taken place in the prison since?—No, I have not been in the prison.

Re-examined by Mr. White.—Were you in the poor debtors ward or in the upper ward?—In the upper ward.

Then if the poor debtors box had been opened you would not have been benefited by it?—No, certainly not.

How came you to be discharged during the time of the fever being on you?—I understood my time was up.

Edward Goodland called in; and Sworn.

E. Goodland.

(19 June.)

Where do you live?—At Ilton, near Ilminster.

Were you in this prison as a debtor?—Yes, two years and four days.

When were you discharged?—Christmas-day 1816; but I staid a few days afterwards to measure a building, as I had begun the work.

Examined by Mr. White.—What is your business?—Joiner, cabinet-maker, and auctioneer and builder.

Did you do the carpenter's work of the gaol while you were here?—Yes, I did all that building.

What building do you mean?—All on the right-hand side as you come in.

You superintended that building?—Yes, from the bottom stone to the top of the chimnies.

Did Mr. Bridle attend in the shop while you were there?—Yes; generally every day, except when he was from home.

When he was there what did he do?—He gave me instructions, and told me what to do next day.

Did he say any thing to the men employed in the shop?—He told them to go on and mind their work, such things as they were set about.

Did you know a prisoner of the name of Hilliar while you were here?—Yes, perfectly well.

What was his trade?—A cooper.

What was his employment in the gaol generally?—Mr. Bridle ordered me to look out some stuff to make some buckets; and desired me not to take any stuff that was useful for any thing else, but to take some odds and ends that were come for the purpose.

Were you the foreman in the carpenter's shop?—Yes.

For what length of time?—Almost all the time I was here.

What were these odds and ends to be done with?—To make buckets.

By whom were they to be made?—By Hilliar.

Did Hilliar make any thing else while you were here?—He made small tubs, and a large tub for a shower bath.

From what was the large tub made?—Of the staves of an old rice cask; Mr. Bridle told me not to take any good stuff.

Did you ever know Hilliar employed to make a cask for Mr. Bridle while you were here?—No.

Must you have known it if he had been so employed?—Yes.

Did you ever know Hilliar take a bit of the county wood for the use of Mr. Bridle while you were here?—No, never, during the course of the time.

Did you ever know a table made of the county wood while you were here?—No; I made tables for the boys ward and for the conversation-room; deal tables.

Do you know how often the prisoners changed their linen while you were here?—Weekly.

Do you know how often they changed their stockings while you were here?—On Saturday nights they came round with a bag with linen and stockings, and every one was served.

Did Mr. Bridle visit and inspect the wards while you were here?—I never understood but he did.

Did your working about the gaol give you opportunities of seeing Mr. Bridle visit and inspect the wards?—Being sent for to repair the locks and ease the doors, and other necessary repairs, was the means I saw the gaol used as it was.

Did those means enable you to judge whether Mr. Bridle visited the wards or not?—Yes, they did; I have seen him there, and been with him.

Did Mr. Bridle attend his duty at chapel while you were here?—Yes, every Sunday when he was at home.

Did you attend regular yourself?—Yes, I never missed except one Sunday in sickness.

What part of the chapel did you sit in?—The gallery.

Could you see Mr. Bridle from the place you were in?—Yes, I was just by his side.

There was a choir of singers in the chapel?—Yes, a very neat choir of singers.

Were you one of them?—Yes, I was the proprietor of them; I led them and taught them. I petitioned to Mr. Acland for music, that we wanted some music; I petitioned Mr. Bridle, and he to Mr. Acland.

Were the choir ever requested to perform in the debtors ward?—Yes.

At what season of the year was that?—At Christmas.

What description of music did you perform?—Sacred; nothing but sacred.

What was Mr. Bridle's conduct to the prisoners in gaol, whilst you were here?—I never saw but he behaved very well. He never punished them more than was inflicted on them at the assizes or sessions, that ever I saw or heard.

Did

Did he show readiness to obtain the discharges of the debtors?—Yes, in every respect. *E. Goodland.*

Did you ever hear the prisoners speak of his conduct to them whilst you were here?—Yes, every one that was in our ward. (19 June.)

What have they said of him?—That he was always ready to assist them to get their discharge out of the gaol.

Did you ever hear any complaint of him while you were in the gaol?—No, only from one man.

Who was that man?—Old Hill, that was in our ward; old Charles Hill.

Did you ever know of any donation being made to the gaol by Mr. Phelips, while he was sheriff?—Yes.

Do you recollect the amount?—I think 10*l.* or somewhere thereabouts.

Do you know whether Hill had any part of that donation?—Yes.

Do you know how much?—Mr. Sheppard brought me the dividend, to divide it, and it amounted to 3*s.* 2*d.* each man, which I remember perfectly well.

Did Hill receive his 3*s.* 2*d.*?—Yes.

How do you know that?—Because I paid it him myself, and every one else.

Do you know of any gratitude being shown; any advertisement?—No.

Did you take any newspaper in the gaol at that time?—Yes.

What papers?—I don't recollect; there were different papers sent from the gentleman's ward; we took none ourselves.

Was it the Sherborne paper?—It might be.

Were you in the gaol at Christmas 1815?—Yes.

[The Dorchester and Sherborne Journal of Friday the 29th December 1815, produced, and read: "The debtors in Ilchester gaol return their grateful thanks to "an unknown benefactor for a liberal donation of ten guineas, and also to another "unknown benefactor for ten tons of coals, both received through the hands of "Mr. Bridle the governor; also to Mrs. Gye, of Bath, for 11*s.* she was so kind "to send them."

[Adjourned at 20 minutes past 1 P. M. until 20 minutes past 2.

The Commissioners re-assembled at that time.

Edward Goodland called in; and Re-sworn.

Examination by Mr. White resumed.—On what day were you discharged?—Christmas-day.

Was any application made by the debtors on that day to purchase beer?—Yes.

State what it was, and what was done?—The men that I had the care of in my ward desired me to write a note to Mr. Bridle, and desired that they might take up a quart of beer each man, being Christmas-day. I told them it was impossible to be done; Mr. Bridle could not do it himself. I wrote a note, and sent it to Mr. Bridle, requesting the favour. Mr. Collins the turnkey, I believe, carried it in. Mr. Bridle came up and asked for Goodland. I said, here am I. He says, you wrote a note to me for each man to have a quart of beer. Yes, sir, says I, I have. Mr. Bridle said, you know it can't be done, you have been long enough in the gaol to know the rules; but he says, however, as it's Christmas-day, I'll pay for a quart of beer each man out of some money that he had got, some charity, but I know not, and desired us to get pots and pans or whatever we had got, to put it in, and take a quart of beer; and so we did.

What was the state of the gaol and prisoners as to cleanliness while you were here?—I never heard anybody say but what it was clean; I never found it otherwise than clean.

Did you know or hear of Mr. Bridle's striking a prisoner while you were here, or permitting his officers to do it?—No, never while I was here.

Was Edward Sheppard in custody the whole time you were here?—Yes.

Is he a blasphemous man?—No; I never heard him swear an oath in my life.

Is he an abandoned character?—No; I never found that he was, or heard that he was.

Did he go to chapel whilst you were here?—Yes.

Cross-examined by Mr. Hunt.—The beer was the day you were discharged?—Yes, Christmas-day.

You did not sleep in the prison afterwards?—No, I came in and out several days.

Will you swear that Hilliard never mended any casks for Mr. Bridle, in the back yard?—That I know nothing about; Mr. Bridle, when he was brewing, has sent for him to take out the head of a cask, or to put in the head of a cask; he might, for about five minutes.

What small tubs was it that Hilliard made?—For the laundry, I believe.

Did you see them taken into the laundry and used there?—No.

Then you don't know that they were taken there, or to Mr. Bridle's house?—No, they were made for the use of the laundry; two or three little tubs.

And you still say they were made for the laundry?—Yes.

E. Goodland.

(19 June.)

And have you seen them there?—I have.

How came you to say that you did not know where they went to?—I did not know where they were taken to from the shop; but I have seen them there, in the laundry, when I went there to mention the washing buckets.

Did you never help to make any tables except for the boys ward and the conversation-room?—No, not to the best of my knowledge.

Did you see the shirts and stockings carried round to be served out?—No, they were put into a white bag at the laundry and served out the next morning.

What did you mean by saying that they went round with a bag every Saturday night with shirts and stockings, and every one was served?—They were put into a bag on Saturday night and served out next morning; I have seen them different times.

Then all you said this morning was correct?—If I did not say so I meant so.

Will you swear that you have said nothing to any one upon that subject since you went out of the room?—I do swear it.

How do you know they were put into the bag on Saturdays?—Because I have seen them do it.

Where were you on Sundays?—In chapel; and I have seen the man go round to serve them out as I have gone to my church.

You never saw any one punished here I believe?—I saw one flogged at the gate by order of the sessions or assizes, I don't know which.

Which ward was you in?—I was at first, a few weeks, in the gentleman's ward; about six weeks.

Was there a debtor there of the name of Sherry, while you was there?—Yes; whether he was there before or after I can't tell.

Was Sherry, like yourself, very well contented, and never complained?—I don't know, I never had but little to say to him; I think I was not in the gentleman's ward with him.

Where did you go at the end of the six weeks?—To the other side.

The poor debtors side?—Yes.

Did you get the county allowance?—Yes.

Did you receive any thing for the work you did in the gaol?—Yes, I received some money for it, for drawings and instructing the men in building.

How much did you receive?—I don't recollect.

Are you sure you got anything?—Yes. I suppose 6*s.* 7*s.* and 8*s.* a week, and 6*d.* for winding up the clock. I was nose once or twice.

What is the most you had at the end?—It might be 8*s.* 9*s.* or 10*s.* I don't know what it was.

You never had 12*s.* a week?—I can't tell.

Do you mean to swear that you can't tell?—I can't tell, and neither will I swear it.

Will you swear that you had not 12*s.* a week?—No.

And yet you had the county allowance all this time?—No, I had not, when I had wages; I had the bread that was allowed by our magistrates.

Don't you know that the bread was county allowance?—I had bread a little while, but after I had wages I got no bread.

Did many of the debtors work at that time?—I do not know how many; sometimes twenty, twenty-two, twenty-five, more or less.

How many debtors were in your ward at that time?—I can't tell; perhaps twenty upon the average.

Do you remember the greatest number?—No.

Could you tell how many were in the other ward by seeing them at chapel?—No, I never counted them.

Were there ever sixty or seventy at one time in both wards?—I suppose there might.

Do you know how many there were when you divided Mr. Phelips's donation?—No.

How came you to know it was Mr. Phelips's donation?—I did not know whose it was; I may have heard them say whose it was; there was something for coals about the same time; I don't know whose it was, and did not inquire.

I understand you to say, that it was Mr. Phelips's donation?—I don't know whose it was; I heard it said so in the ward; I can't charge my memory with it four years back.

Then did you say to day that it was Mr. Phelips's donation?—I don't know that I said so; the money was given to me by Mr. Sheppard to divide among the men, as I told you.

Then you don't know it was Mr. Phelip's donation?—I heard so, I never knew for a certainty it was Mr. Phelips's donation, and never said so.

Did Sheppard tell you whose donation it was?—I suppose he did.

Do you know how much came to your ward?—There was 3*s.* 2*d.* each man.

You can't tell the whole sum you had to divide?—No, I cannot.

You saw Sheppard at chapel?—Yes, different times.

Not regular?—I don't know that it was regular; I did not notice Mr. Sheppard more than another.

You

E. Goodland.

(19 June.)

You say Mr. Bridle went to chapel every Sunday?—I can't say every Sunday, but he went as regular as any man when he was at home, without it was the parson.

Was he there always when you were there?—I won't charge my mind that he was, it's so long ago; it might or might not be.

You know nothing of the gaol since Christmas 1816?—No; I have not been in it since.

Examined by the Commissioners.—Did you hear it was Mr. Phelips's donation, at the time the money was given away?—Yes; I have not heard a syllable of it since.

Were the debtors forced to work?—No.

Mr. *Richard Pople Caines* called in; and Sworn.

Mr. R. P. Caines.

You are one of the coroners of Somersetshire?—I am.

How long have you held that office?—I was elected on 19th March 1817.

Examined by Mr. White.—Have you been in the habit of attending inquests in this gaol?—I have.

Are you enabled to state how many inquests you have attended in the gaol since you have been coroner?—I believe fourteen.

What is your course of proceeding when you are about to take an inquest in the gaol?—If I am at home when I am required to hold an inquest, I send back a summons by the messenger, in order that a jury may be assembled against I come; and I have generally sent round to Somerton, to Mr. Bryer, that he should meet me here; at least I found it was proper that he should, after being here once or twice. On arriving here, and the jury being assembled, I swear the jury; and then I direct the witnesses to be brought in: sometimes it has happened about dinner time, or for some particular reason the witnesses have not been ready immediately, and before I proceeded to take depositions I have gone with the jury to see the body: when the witnesses are ready I swear them as they are brought to me. In consequence of Mr. Bryer being a professional man, I have generally made a point of taking his deposition first; I then ask the jury if they have any questions to put to Mr. Bryer; if they say no, and are satisfied, I say to Mr. Bryer, that on account of his being a professional man, I can dispense with his presence, and then he generally withdraws; I then proceed to take the depositions of the other witnesses, and as I proceed with them, having got to the end of their evidence as I have understood, I again ask the jury if they have any question they wish to ask this witness; in answer to that, I have generally been told by the jury (who have been debtor prisoners), that they know that the statement that had been given, to be perfectly correct. I don't mean to be understood that that shall apply to every case, but that it has often happened in that way. I generally ask if there are any other witnesses to be brought forward; and understanding that I have had all the witnesses that know any thing about the facts, I generally make a short charge to the jury. If I was ever so great an orator, I should think it superfluous to say a great deal on those occasions; I only speak to the matter of fact; what I say is perfectly as follows:—Gentlemen of the jury, you have all seen the body, and you have all heard the evidence; there does not appear to me to be any sort of difficulty in this question, and I conceive you will find no difficulty in being enabled to return a verdict; and I believe I may venture to say, that in no instance have the jury ever hesitated five minutes, and I believe I may say two minutes. The consequence has been, that the juries have returned their verdicts, which I have recorded, and the juries have then been dismissed.

Of whom are the juries composed?—Six prisoners and six of the town or parish.

What description of prisoners are they?—In general, debtors.

Are the witnesses examined in the presence of the jury?—They are.

Are their depositions reduced into writing?—Yes.

When reduced into writing, are they read to the witnesses?—Always.

Are they read in the presence of the jury?—Invariably so.

Do the witnesses sign their depositions?—For the first three or four months after I was appointed, I did not think it was necessary that they should sign them. I did not know that it was usual, unless they were cases that were likely to go before a superior tribunal.

Did you in all cases, both before you had them signed by the witnesses and after, read the depositions to the witnesses?—Invariably so.

Was that in the presence of the jury always?—Always.

After reading the depositions to the witnesses, did you ask any question of the witnesses?—I certainly did, if it appeared to me that any thing wanted explanation.

Did you put any general question to the witnesses after reading the depositions?—If there appeared any thing ambiguous, I asked an explanation; if I was satisfied and the jury were satisfied, I asked no other question.

Where is Mr. Bridle generally on those occasions?—Mr. Bridle has sometimes attended on the inquest; at other times, I believe, he has occasionally been from home. He was in London with convicts; and other occasions he has been engaged in his other avocations in the gaol. I believe he has been as often absent as present.

Mr. R. P. Caines.

(19 June.)

When he has been at home, has he given you every facility for the examination of prisoners or otherwise?—He has always been ready to render me assistance by furnishing me witnesses, and every thing necessary for completing the depositions.

Cross-examined by Mr. Hunt.—Do you remember an inquest held on a man named Ford?—I do.

That was dispatched equally quick with the others?—Quite so.

That was managed a quick concern altogether, I believe?—I took the same time, and examined the witnesses on that, as on every other occasion, and asked the question of the jury if they had any thing for me to propose to the witnesses.

But I believe the man was dead, the inquest was held, and he was buried the same day, before the body was cold?—The man being dead, and in a prison, I considered it my duty to attend as early as possible, as I had always done on similar occasions; and as to his being buried, I had nothing to do with that, more than giving a warrant for his interment to the clergyman. Nor do I conceive there is any thing extraordinary in that; for a neighbouring clergyman, who is a magistrate, once waited in a churchyard whilst I took an inquest, and the body was buried immediately.

Who was that magistrate?—Mr. Whalley. Perhaps it is due to Mr. Whalley that I should state the reason; the man died of a typhus fever; and a short period before Ford's death there had been typhus fever in the prison.

Was that man a prisoner?—He was. It was at the house of recovery at Lymington.

Is it Mr. Whalley of Yeovil?—Yes.

Do you know how long that man had been dead, the man at Lymington?—I had notice of it on Saturday evening; the man died the same day. He was buried on the Sunday.

But do you mean to say that Ford died of infectious fever?—No.

But is it not extraordinary to bury a man under such circumstances where there is no fever?—A man having been ascertained to be dead, and in a prison, I should really think the sooner he is put under the earth the better.

Can you tell us the reason why inquests are always held upon those who die in a prison?—When I said that, I mean after an inquest has been holden by a jury.

But what is the reason an inquest is held upon every person that dies in prison?—To ascertain by what means the man came by his death.

But why in a prison more than anywhere else?—By ascertaining his death, you would find whether he came to his death by violent means, or by any neglect on the part of the governor or those employed under him.

Then the law being jealous in this respect, don't you think it requires more time for investigation in a prison than anywhere else?—There is a certain point to which it is necessary to come; but having got to that point, I conceive it perfectly useless to go beyond that.

Did you ever know of a man beside this, except he died of infectious disease, that he died the inquest was held and he was buried the same day?—Since I have been in office, I have known a great many persons buried within a very short period after I held the inquest.

The same day they died?—I don't know that; but I believe I have.

Where and when was that?—I can't charge my recollection.

Was it not such a particular circumstance that you must have recollected it?—No, I don't know that it is so particular.

Will you swear that it ever happened at any period in your life, except in this instance, or in case of infectious fever?—I stated before that there had been an infectious fever in the gaol, and that very recently.

Can you point out one instance, Ford's excepted, where a person died, the inquest was held, and he was buried the same day, except in case of infectious disease?—I stated before I believed there had, but I cannot charge my memory with any particular case; I should not think it very extraordinary; and I should think there are cases where it is absolutely proper and necessary.

What are those cases?—Where the body has become offensive.

Was Ford's body in that state?—I am not aware that it was.

Aware! you were the coroner?—I did not have the body opened. I saw that body from head to foot, and examined it all over, together with the jury and Mr. Bryer.

Where did you find the body lying?—On an iron bedstead.

In a solitary dark cell?—No; I have no recollection of having had a candle, nor do I believe there was a candle.

Will you take upon you to say that there was any other light in the cell except what came through the squint by the side of the door?—I can't say as to that, only that there was light in some way that I and the jury had a full view of the body; and to the best of my recollection it was without the aid of candle.

Did

Did you understand that the man died in irons?—I understood he had irons on both hands. *Mr. R. P. Caines.* (19 June.)

Did you not understand that he had double irons on his legs?—Never; I understood he was ironed in the usual way.

With double irons?—I did not ask that question; the words as they were given to me were, that he was ironed in the usual way, and that the irons on his hands were put on on account of his having been refractory.

What did you understand by ironed in the usual way?—Ironed as a common felon.

Was that irons on both legs?—That is a question I can't answer.

And you did not ask?—No; I was told he was ironed in the usual way, and I have no reason to suspect otherwise.

You found the man dead in a cell in prison; you understood he had been ironed on his hands, and that he had been ironed in the usual way; yet you, as a coroner, did not think it your duty to ask what that usual way was?—Having been informed that he had been ironed in the usual way, I took it for granted that the man had not received more severe treatment than others under similar circumstances. Perhaps I should state what irons he had on his hands; they were ruffles or handcuffs, to each of which a small piece of chain, from eight to ten inches long, had been fixed, and the other ends of the chain had been fastened to the bedstead. Those pieces of chain were produced before the jury.

Did you ever sit upon an inquest on a man who had died in a similar way?—No.

And you took it for granted this was all right?—I did.

Were there any marks where these irons went round?—There were some very slight marks, I believe only on one hand. They were pointed out to the jury, and it was explained to them in what way those marks had happened; that, on the preceding evening, the man had been refractory, extremely so, and that one iron was put on one hand, which, being rather large, the man had forced off with his other hand.

Who explained this?—I believe the turnkey.

Treganza?—Treganza; but, from the length of time, I would not take upon me to swear it was Treganza; but it was explained so to the jury in the cell.

Before the witnesses had been sworn?—I can't take upon me to answer the question, for the reason I before stated.

Was not Matthew Hobbs present in the cell?—I do not recollect.

Was it usual or proper to suffer a turnkey who had this man under his care to go with you and the jury into the cell, or that you should have any person there who could give that explanation?—I consider it right and proper to have the person there that could give the explanation.

In the cell?—Of course.

When you entered the cell, was the body covered?—If there was a covering, which I believe there was, it was a blanket thrown back, so that the body was as naked as my hand, every part of it.

Do you recollect the observation you made when you pulled off the blanket?—I don't believe I pulled it off; I believe it was Mr. Bryer.

Do you recollect saying any thing when you saw the body first?—No.

Then was the explanation given about the handcuffs and the irons without any thing being said?—Mr. Bryer examined the body, and pointed out the marks on the hand, and Treganza afterwards produced the chains.

And then the explanation took place?—No; the explanation took place before; the chains were produced afterwards.

Seeing this mark, and hearing this explanation, did you minutely examine the body afterwards, to see if there were no other marks?—I inspected and examined the body sufficiently to see that there were no other marks.

You positively say there were no marks upon the legs?—I have no recollection of any mark whatever upon the legs.

Was the man lying upon his back on the bed?—I rather think he was lying on his side; at all events he was turned over.

Wherever he was lying, he was turned over in the presence of Dr. Bryer?—He was.

And in the presence of the jury?—And in the presence of the jury.

And you made no observation about his bruises?—None whatever, except as to the mark on the hand.

And the inquest was afterwards held where?—I believe the room immediately below this, where the inquests are generally held.

And Treganza was a witness?—He was.

Do you recollect any explanation that Mr. Bridle gave on the occasion?—I think Mr. Bridle said he had never seen the man till after he was dead.

Mr. R. P. Caines.
(19 June.)

Do you recollect Mr. Bridle explaining to you or the jury the necessity of putting a refractory man, such as he was, in irons in a similar way?—No; nor do I think it necessary he should; because the outrageous conduct of the man was so fully explained by the witnesses.

You are sure he did not in the room below say that it was necessary to do so; read any thing out of a book, for instance?—I am certainly sure he did not; I mean as to the book. I can't say as to any observation that he might make. I can't recollect every word that Mr. Bridle might have said.

Do you recollect what he did say?—No.

He was upon his oath, of course?—No, he was not.

Was it not your duty to prevent the gaoler saying any thing at all, unless he had been upon oath, in such a case as that?—I am not aware that it was, unless I had known any thing prejudicial to Mr. Bridle's conduct in that respect.

Do you think it was decent that he should be present at all, under such circumstances?—I see nothing indecent in it.

Were any of the prisoners witnesses?—The constables were witnesses—prisoners—they were brought to me as constables.

Do you think it possible that these prisoners may be influenced by the presence of the governor, in giving their testimony?—I am so little acquainted with the internal regulation of a prison, that I did not know whether they were prisoners or not. I did not know but that they were similarly employed as turnkeys or taskmasters, or others employed in the prison.

But had you known that they were prisoners, should you have thought it decent that the gaoler should remain in the room while they were giving their testimony?—I conceive, in a case of this sort, it would have been indecent in me to have desired Mr. Bridle to have withdrawn, nothing having come to my knowledge, directly or indirectly, by any hint or otherwise, that the deceased had experienced any improper treatment.

Then did it not strike you that chaining a man by the hands to an iron bedstead was treating him improperly?—Certainly not, to a man who had behaved so outrageously as he had done.

Did you know of any outrageous conduct of his?—I learnt it from the witnesses, Treganza and a man named Britton.

Perhaps you can produce the depositions?—Yes.—[*Produced a book.*]

Examined by the Commissioners.—This you put in as the only document that exists of what passed at that time?—Yes.

Was it made at that time?—Yes.

This was the only written instrument that you took by way of deposition?—It is.

Cross-examination by Mr. Hunt resumed.—Did you ever give any copy of such depositions as these to go before a judge?—No; if there appeared to be any thing criminal, I always drew depositions from those minutes. The observations that I have here only serve me as minutes, and then I always make the witnesses sign them.

How long had you been acting as coroner at the time this inquest was taken?—From 19th of March to 31st October. I took but very few inquests in the early part of my office before that.

When did you begin to make witnesses sign their depositions?—I can't exactly say; but on all occasions when there have been cases likely to go before a judge; and I should say, to the best of my recollection, within eight or nine months after I was appointed to my office.

I thought you said within six months?—I don't recollect the time exactly; I thought it might have been within the first three or four months.

Treganza did not sign this deposition?—No.

What proof have you that he made such a deposition as this?—From the minute there made, and from its being always customary with me to swear the witnesses to the statement they there make.

Were Pike and Chamberlain in the room with you when Treganza made this deposition?—They were.

And you did not think it necessary to ask them any question further than to confirm what Treganza had said?—It was not in my mind at all necessary to examine them to anything further. They were sworn to speak the truth, and the whole truth, and so on, in the usual form, and all they knew about it; and I had no reason to suspect that they did know anything more than they told the jury. I asked the jury whether they had any question for me to propose to Treganza, or to Pike or Chamberlain. Treganza's evidence occupies six pages and a half of your book, and then Chamberlain and Pike being sworn, corroborated his statement of what took place from the time of the man's entrance into the prison till his death.

What

Mr. R. P. Caines. (19 June.)

What is meant by corroboration?—I meant this, that I read over the whole of the evidence of Treganza in the presence of the jury and Treganza, and then I said to Pike and Chamberlain, you have heard this read, is it true as far as you are concerned? and they answered that it was.

That is all you thought it necessary to ask them?—Yes.

Did you read over to the jury what Dr. Bryer swore?—I did.

What evidence was given of violent fits of passsion?—Those were Mr. Bryer's words; not mine. Mr. Bryer heard the evidence of the witnesses.

Dr. Bryer swore that he believed the death was occasioned by the rupture of a vessel on the brain, or about the heart?—Yes.

Did you take any pains to ascertain whether the vessel was ruptured in the head or near the heart?—I am not a medical man; but I have understood that persons dropping in fits and dying instantly, the death is occasioned by an act of God of that kind.

Examined by the Commissioners.—And you mean the bursting of a blood-vessel?—Certainly; and it is not usual to have operations performed to ascertain from which cause, whether from the brain or the heart.

Cross-examination by Mr. Hunt resumed.—And you suffered the jury to give their verdict, without directing Dr. Bryer to ascertain the cause of this man's death?—I did not think it necessary to have an operation performed. I was satisfied in my own mind, and the jury appeared perfectly so.

And you positively swear that you did not know at the time that Pike or Chamberlain were prisoners?—I do.

Have you not been examined before some magistrates upon this business recently?—Yes.

Did you produce this book to them?—Yes.

They were satisfied it was all right?—That is not for me to say.

Did you understand Aaron Britton, who was sworn, was a prisoner?—Yes; and the deposition states to that effect.

You knew that he was a prisoner, and that half the jury were prisoners, and yet you did not think it was at all indecent for the gaoler to be present?—No; I did not.

Do you remember attending inquests upon two debtors lately, one named Davis, and the other Treble?—Yes.

Were the witnesses there sworn before the jury?—They were.

And all persons who could have given evidence with regard to these men's deaths had proper notice given them to attend?—All the persons who had been immediately about the persons of the deceased attended; as far as I knew or deemed necessary.

Whose business is it to procure the witnesses in a gaol when a man dies, and to take care that they have free access to the jury?—I, having made inquiries who were about the deceased during his illness, directed that those persons might be brought forward.

Of whom did you make those inquiries?—The gaoler, if he was present; sometimes the turnkey, and heretofore of the task-masters, and sometimes of Mr. Bryer.

Of whom did you make inquiries as to who were the persons about the two men I spoke of?—I don't recollect; the first person I saw after I came into the gaol that I knew. I generally inquire if Mr. Bridle is at home.

Then if the gaoler and turnkeys were to contrive to have me put to death, and you were to attend the inquest, you would apply to no other persons than them to procure witnesses for you?—I said before that I always have the surgeon, and those who were immediately about the dead; and of course I must have such witnesses as those to get at facts.

In the case of Treble and Davis, did you take care to have the surgeon that last attended the dead before you?—As well as I recollect I had.

Goodman having deposed that Mr. Robertson had attended the deceased at ten o'clock at night previous to the death of Treble, and at a little after four in the morning, what was the reason that Robertson was not sent for to be examined?—Because I considered Mr. Bryer was an old practitioner employed by the county, and was fully competent to answer every question to my satisfaction, and to the satisfaction of the jury.

Although he had not seen the deceased since he kept his bed, ill?—It is stated in the depositions that Mr. Bryer saw him during his illness.

You were perfectly satisfied that Ford died by the visitation of God?—Yes, most certainly.

Examined by the Commissioners.—Do you mean to say, that at the time of Ford's death there was any reason whatever for the conduct that was then observed in consequence of any infectious fever there was then in the gaol, or danger of it?—All the inquests I had taken, previous to that on Ford, had been on those that died of typhus fever, and my attendance with regard to Ford was in no other hasty way than it had been on former occasions.

Had you at that time any reason to apprehend that there was any danger of infection?—I had, most certainly; because the typhus fever raged in the neighbourhood thereabout.

Mr. R. P. Caines. (19 June.)

Is it your practice, at your conclusion of the examination of a witness, to ask him whether he has any thing to add to his testimony?—It is.

Do you recollect, in the late cases of Treble and Davis, you put that question to the witness?—I am confident, from my general practice, that I did so.

On the inquest that you held on Treble, was any observation made by any person that he had not sufficient nourishment?—The jury, more particularly the prisoners, said the man certainly died by the visitation of God; but one of them said that the man had drank too much water, and that if the man had been allowed gin, or some such thing, he thought it might have prolonged his life.

Was any thing said by that person, or any one else, that he had been in want of any species of cordial or nourishment except gin?—No, there was not.

Was there any observation made by any person in reply to what had been said, that the man had drank too much water?—There was something said by Child, a gaol juror, who said that the water was not good.

Was any thing else observed?—No.

Did any person reply to the man who observed that the man had drank too much water?—In answer to the man who spoke of gin, Dr. Bryer said, it was fortunate that he had no gin, which would have been likely to have accelerated his death; and water was a more proper thing for him.

Was that the only reply that was made?—I believe Dr. Bryer said, there had been a time that he thought beer more proper for him, when he thought he would recover.

Was any thing said about broth or meat?—I can't recollect.

Was any thing said that he had not had broth and meat?—Certainly not.

Was any thing said to check or stop the juror who said he thought gin would have been proper for him?—No, by no means.

Were there any irons upon the corpse of Ford when you saw him?—No.

Was the explanation given in the cell, respecting the marks, repeated on oath before the jury afterwards on the inquest?—If he had, I should have made a minute of it.

Did you understand that Dr. Bryer ever saw him alive?—I understood he had not.

Did Dr. Bryer say any thing of a suspicion that he had been infected with typhus fever, or any thing of that kind?—Oh no.

Was the opinion that Dr. Bryer gave the only mode by which his death was attempted to be accounted for?—Yes.

Did Dr. Bryer give any reason for supposing that he died of a ruptured vessel, either in his head or his heart?—He stated, that it was frequently the case for men who had worked themselves up in a passion to drop, in consequence of a rupture of a vessel; and upon that he appeared to have formed his opinion.

Did it occur to you that Dr. Bryer could only have been speaking by guess, unless he had opened the head or the heart?—It appeared to me that Dr. Bryer could form an opinion that the man was insane, from the statements given by the witnesses that the man was most violent.

But did it not occur to you that it was necessary to ascertain that point?—No; I don't like to direct operations to be performed, unless there seems to be an absolute necessity.

What evil do you apprehend could have arisen to a dead man, from having his head and heart opened?—I knew there could be none; but people in the country are generally averse to things of that kind being done, and it is from feelings of humanity that I abstain, unless in cases where there is a doubt.

Then did you conceive, from Dr. Bryer's statement, that it was quite conclusive that he died from bursting a blood-vessel?—Yes.

Are you the nearest coroner to this gaol?—I am.

[Adjourned at 20 minutes past 7 P. M. until 9 o'clock to-morrow morning.

WEDNESDAY, 20th JUNE 1821. The Commissioners assembled at the Gaol at 9 A. M.

Lucy Smart called in; and Sworn.

L. Smart. (20 June.)

WHERE do you live?—At Bath.

Have you ever been in this prison?—Yes.

What for?—Felony.

Were you sentenced for transportation?—Yes.

How long were you here?—Two years and six months.

When were you discharged?—Two years and a half ago.

Examined by Mr. White.—Did you wash for the prisoners while you were here?—Yes.

How long did you wash for the prisoners while you were here?—At first, eleven months; then I went to Lymington.

Do you mean when the fever was in the gaol?—Yes.

During the whole time of your being in the gaol how often was the prisoners' linen changed?—Every Sunday, all the women that I had to do with.

Do you know any thing of the other prisoners?—No.

How

How often were their stockings changed?—The women's every Sunday.

L. Smart.

Do you know how often the men's stockings were changed?—They were always taken down to them every Sunday morning.

(20 June.)

How often were the men and women's stockings washed?—Every week.

How often was the men's linen washed?—Every week.

Was the linen and stockings washed in large quanties?—Yes.

Was the linen marked?—Yes.

In what way?—I don't understand what you mean.

Was there any thing upon it by which the prisoners should know it?—Yes.

Describe in what way?—We marked it ourselves; we made some remark upon it, so that we should know it.

How did you mark it so that the prisoners should know it again?—We used to take a needle and thread and mark it.

Examination by the Commissioners.—Did each woman mark her own linen?—Yes.

Examined by Mr. White, resumed.—Were there any numbers on the different shirts?—No.

Do you know what I mean by numbering?—Yes.

You were at the house of recovery at Lymington?—Yes.

Did you ever see Mr. Bridle there?—Yes.

How often did he attend there?—Sometimes he would be there twice a week, and sometimes three times.

What was his conduct and treatment of the prisoners?—Very good; he used to ask me how we did go on.

Were you ill yourself in the fever?—No.

Were you attending there as nurse to the sick prisoners?—Yes.

What was Mr. Bridle's conduct to the prisoners in the gaol?—Always very good; for what I heard.

During the time you were in the gaol, did you ever hear any complaints of him?—No.

Cross-examined by Mr. Hunt.—You came from Bath on purpose?—Yes.

You would not come till you were paid?—I did not make any words.

Did you come the first time?—Yes.

Did you help wash the fine things as well as the coarse ones?—Yes.

What fine things were washed?—What belonged to Mrs. Bridle and Mr. Bridle.

And the turnkeys?—Yes.

Mr. Bridle and his family, and any visitors?—Yes, if there was occasion for it.

Mr. Bridle always saw you, and spoke to you at Lymington?—Yes.

What else did he do?—He walked round the kitchen and talked to the prisoners.

Had you any other office in the gaol?—No; none but washing and attending the sick prisoners.

You had the county pay all the time you were here?—Yes.

It was never stopped for any thing?—No.

Did you never nurse any but prisoners?—No, not here.

Did not Mrs. Treganza lay-in while you were here?—Yes; I forgot that I attended her.

How long did you attend her?—A month.

You worked sometimes in the house?—Yes; when Mrs. Bridle wanted me to sew in the house, I did.

Who got your sentence off to two years and a half?—Mr. Bridle and Mr. Acland; I don't know any body else.

You worked for Mrs. Bridle, and made yourself handy and useful, and Mr. Bridle got your sentence off?—Yes.

Was Sarah Hewitt in the house at that time?—Yes.

Was Sarah Lawrence there part of your time?—Yes; I nursed her when she was put to bed.

She had been in the house twelve months?—Yes; I believe she had.

She was turned out, I believe, because she was big with child?—Yes.

And Sarah Hewitt took her place?—Yes.

Do you know any thing what has happened in the gaol since you went away, three years and a half ago, in any respect?—No.

Re-examined by Mr. White.—Did you say you left the gaol three years and a half?—No; two years and a half.

Who was Mrs. Treganza, that you spoke of?—She was in the lodge.

Whose wife was she?—Mr. Treganza, that kept the lodge.

Was he the turnkey of the gaol —Yes.

Have you been paid any thing for you journey here?—No.

Did it require any exertion to get you here?—No.

Did you refuse to come here?—No.

There was no force made use of?—No.

Edmund Barber called in; and Sworn.

E. Barber.

Where do you live?—At Bridgewater.

Have you ever been in this gaol?—Yes.

Were you a prisoner?—Yes; a time man.

E. Barber.

(20 June.)

What were you sent for?—Felony.

How long were you here?—Twelve months.

When were you discharged?—Three years 14th January last.

Examined by Mr. White.—What treatment did you receive while you were here?—Very good indeed; I was behaved very well to.

Who treated you well?—Every one that was here, Mr. Bridle and Mr. Hobbs, and every one else, behaved very well to me while I was here.

How were the sick treated while you were here?—They were treated very well indeed.

Did you hear any complaint of Mr. Bridle, or any of the officers while you were here?—No; every man was contented with the treatment that was given them while I was here; they were satisfied with every officer.

Do you mean to include Mr. Bridle in that?—Yes; I say that Mr. Bridle and the officers behaved very well to the prisoners during the time that I was here.

Were you ill while you were here?—Yes; a fortnight.

How were you treated during your illness?—They treated me very well; they treated me with every thing good, and to nourish me.

How often was the prisoners linen changed while you were here?—Every Sunday morning.

How often were the stockings changed?—Every Sunday morning.

How do you know this?—Because I had got the delivery of it round with the officers.

Did you hear any of the prisoners complain of the want of clean linen or stockings?—No; never.

How often was the linen of the sick changed while you were here?—Twice a week.

Were the wards clean or dirty while you were here?—They were always kept very clean.

By going round with the linen weekly, had you an opportunity of seeing other wards than the one in which you were placed?—Yes.

What wards did you see besides your own?—I have seen every ward round.

Were they all in the same state as to cleanliness?—Yes.

How often did Mr. Bridle visit the ward while you were in custody?—Every day, when he was at home in the town.

What do you mean by being in town?—When he was at home he attended in the wards, unless he was absent from the town.

He resided in the gaol, and had no house in town?—No.

Were you here whilst the fever was in the gaol?—Yes; I helped to fumigate the gaol.

What was your situation in the gaol at that time?—I assisted washing the shirts; that every one should have clean linen on Sundays, or occasionally, when it was wanted.

Was the linen that you washed taken from the bodies of the sick prisoners?—Yes.

Where were they washed?—In the lower ward.

Not in the laundry?—No; in the lower ward, where there is a furnace where they used to dye the wool sometimes.

Why were they not washed in the laundry with those of the prisoners that were not sick?—We had got some of the prisoners that were not sick; because we would get the linen up clean, there was so many prisoners here.

Who was the cook for the sick?—I and Odder, and Player; Player is not here now; I helped serve it out.

What did you serve out?—The soup that was boiled.

What other things did you serve out?—Gruel, to nourish the sick.

Was there a great plenty or a scarcity?—Every one was satisfied and contented.

Did you ever hear any complaint for the want of nourishment while you were here?—No, never in my life.

Did the visiting magistrates attend sometimes?—Yes, they were here for most weeks.

Did they ask the prisoners any questions?—They asked them if they had any complaints; and they answered, no.

Did you ever hear Mr. Bridle, or any of his officers, complained of to them?—No, never at all; and every prisoner was satisfied with the treatment of the officers, all during the time I was here.

Did you say you helped to fumigate the gaol?—I did; all over.

What was used for the purpose of fumigating the gaol?—At first, we had pitch and brimstone; afterwards it was fumigated with I forget what it was; we had it in little pans, and put it in the rooms; they found it much better than the other.

Was any thing done to the prisoners to prevent the fever from spreading?—They were allowed tobacco to smoke, and they walked out.

Where did they walk?—They were taken outside the door by order of the magistrates; and the officers went with them; they walked up and down for the air.

Did Mr. Bridle attend with them, on those occasions, sometimes?—He did.

Were they washed with any thing?—Yes; I helped wash them with bay salt and warm water.

Were

Were their rooms and other places sprinkled with any thing?—Not as I knew.

E. Barber.
(20 June.)

Did you go to chapel when you were here?—Yes, every Sunday, except the fortnight that I was sick.

What part of the chapel did you sit in?—On the right-hand, just by the hatch as you go in. I used to act as constable like.

What did you mean by constable like?—I used to see that the ward was clean.

Could you see Mr. Bridle's seat from where you sat in chapel?—No, not very well; because Mr. Bridle did sit over.

Could you see persons if they stood up in the seat?—Do you mean Mr. Bridle's? Yes; sometimes I could see Mr. Bridle when he stood up.

Did you often see him at chapel while you were there?—Yes; he was there most Sundays; I think every Sunday.

Cross-examined by Mr. Hunt.—You were a very useful handy man here?—Yes, I did all that lay in my power.

You say all the prisoners were satisfied, and never complained?—I never knew one complain.

During the twelve months you were here there was no punishment?—There was no one punished except sent in by order of the magistrates, and had irons on the same as they have now.

And you swear that while you were here there was no one ironed and sent into solitary confinement without it was by order of a magistrate?—Yes; there was no one.

How do you know this?—Because I heard no complaint from any prisoner.

You are quite sure that before they were ironed and confined it was ordered by the magistrates?—Yes, they had no unlawful irons, nor nothing of the kind.

What was you sentenced for?—For drinking a glass of gin that was given to me by a fellow-servant. I did not know it was stole; it was found out, and he split upon me. It was down in Ilminster.

So you were sentenced for a twelvemonth for felony, for drinking a glass of gin?—Yes, that was all it was for.

Where did you live then?—At the Crown, at Ilminster.

What was the charge against you?—Stealing the gin out of my master's house.

You were treated very kindly here?—Yes, they behaved very well to me, and every prisoner else.

Bread was always good and never complained of?—The bread was never complained of while I was here.

Were any prisoners put in solitary confinement while you were here, and ironed?—No.

You never heard Hodder say they put some in solitary confinement?—No, I never heard Hodder say any thing against any one.

Who assisted you in fumigating with pitch and brimstone?—Blisset.

What was he?—A time man, like myself.

Did none of the prisoners complain of your nearly suffocating them with the brimstone?—No, they were out in the yard or in the kitchen, if we were doing the cells.

You are sure Blisset and you did them all, and did not miss any?—We did them all; every cell and every passage, and every yard and water-closet.

And you did this without any assistance?—Yes, there was Player to assist in heating the irons, and we did it ourselves, as I told you before, all over the gaol; and every day we did that, we got a clean shirt each, because we should not be nasty and dirty the beds. After it was done round the gaol the masons white-washed, and the people washed the wards.

Nobody went with you?—Yes; an officer went with us to every ward.

Who was the officer?—Mr. Hobbs; and Mr. Treganza sometimes.

And you washed the prisoners with warm water and bay salt?—Yes, we did; and we washed every prisoner that came in, if we thought they were not clean; and their cloaths were washed because we should keep every thing clean; and every thing was clean throughout the gaol while I was here, and that's all I can say.

And the whole gaol was very clean, and sweet, and wholesome, and good air?—Yes; and during the time the people was sick the straw was changed, and a clean bed-tick twice a week. I burnt the straw.

What was the cause of the people being walked outside?—It was done by order of the magistrates, to give them fresh air.

Did they sit down under the wall outside with their pipes?—Yes; perhaps for half an hour.

And have some gin and water?—No.

Mr. Bridle was at chapel every Sunday that he was at home?—Yes; he did see every prisoner go that was able, and did go to chapel himself.

The answer to the visiting magistrates was, that there was no complaint?—Yes; the whole time I was here.

E. Barber. (20 June.)

Then you are quite sure no prisoner complained to a visiting magistrate during the whole year that you were here?—Yes, I am quite clear of it.

During the year you were here you are sure that no person was punished without an order from a visiting magistrate?—Yes.

And if it had been done you would have known it?—Yes.

What took place since you went away you know nothing about?—No; but every one I have seen give the officers a good character throughout the gaol. I got no ill-treatment, nor no others, as ever I heard.

And you never heard of any one being ill-treated?—No.

Examined by the Commissioners.—In what situation are you now?—Hostler at the Three Crowns, Bridgewater.

Have you been in service ever since you have been discharged?—Yes, the first place I lived in after I went to the Swan in Ilminster, then I went to the George, Bridgewater, and my master dying, I went to the place I am now in.

Edmund Broderip, Esq. called in; and Sworn.

A. Broderip, Esq.

You live at Wells?—I do.

Are you the under-sheriff of this county?—I am at present.

Examined by Mr. White.—Who was sheriff of this county in the last year?—There were three; Mr. Napier was sworn into office in February 1820, and appointed me his under-sheriff, he died about the middle of May; the execution of the office of sheriff of course devolved on me until another sheriff was appointed; some time, I think, in June, Sir Charles Bampfylde was sworn into the office; he appointed my partner, Mr. Milliar, his under sheriff.

Did Mr. Milliar attend the last Michaelmas quarter sessions as the under sheriff?—He did not.

Why did he not attend?—He was not in the county, and I attended for him.

Was any order then made by the magistrates with reference to Mr. Hunt, a gentleman in this gaol?—There was an order made by the magistrates with reference to Mr. Hunt and Mr. Kinnear, who was confined here also.

Were you present when that order was made?—I was.

Was the high sheriff, Sir Charles Bampfylde, present?—He was not.

Who represented him as the sheriff of this county?—I did.

Did you consent to the order that was then made by the magistrates?—I did.

Was Sir Charles Bampfylde at the sessions?—He was not.

Have you seen him since?—Yes.

Do you recollect how long after the sessions it was before you did see him?—I think it was in the beginning of November, I think between the 1st and 8th of November.

Had you any conversation with Sir Charles Bampfylde with reference to the order that had been made at the previous sessions?—Sir Charles Bampfylde sent me a letter, inclosing one from Mr. Hunt to him, complaining, as near as I remember, of the order in question; I went to Sir Charles Bampfylde, I believe, the morning after I received the letter, to confer with him on the subject of it, and I was directed by him to desire Mr. Milliar to send an an answer (of which the following is a copy) to that letter; it is proper for me to say that Mr. Milliar signed the letter; I don't know that it was put into the post-office, but perhaps Mr. Hunt will produce the original letter; I don't know that I examined the copy with Mr. Milliar: This is the draft of the letter, as settled in Sir Charles Bampfylde's parlour, at Hardington park.

You say you attended on the part of the sheriff?—I did.

By what authority did you attend, not being his under sheriff?—In the appointment executed by Sir Charles Bampfylde of my partner, as his under-sheriff, Mr. Milliar is appointed his under-sheriff, but there is authority also given to me, to my son Edmund Broderip the younger, who is a partner with Mr. Milliar and me, and also to Joseph Lovell Lovell, the fourth partner in the house, to impannel and return jurors, to do a great variety of things that belong to the office; and lastly, to do any other act which Sir Charles Bampfylde could do, as sheriff, if he was present.

[Appointment produced and read.] "This indenture, made the 22nd day of June, "1820, between Sir Charles Warwick Bampfylde, baronet, sheriff of Somersetshire, "of the one part, and William Milliar, of Wells, in the said county, gentleman, of "the other part; witnesseth, that the said sheriff, for the considerations hereafter "mentioned, hath deputed, constituted and appointed, and by these presents doth "depute, constitute and appoint, the said William Milliar, his under sheriff for the "said county; and the said sheriff, in order that the duties of his office of sheriff may "at all times be promptly executed, hath authorized, deputed and appointed, and by "these presents doth authorize, depute and appoint, not only the said William "Milliar, but also Edmund Broderip the elder, Edmund Broderip the younger, "and Joseph Lovell Lovell, all of Wells aforesaid, gentlemen, each of them to "sign

" sign, seal and execute, and as the act and deed of him the said sheriff, to deliver " assignments of any bail bonds, &c. and also to nominate and impannel any " jurors or inquests, &c. and lastly, the said sheriff hath made, ordained, consti- " tuted and appointed, and by these presents doth expressly make, ordain, con- " stitute and appoint the said William Milliar, Edmund Broderip the elder, " Edmund Broderip the younger, and Joseph Lovell Lovell, jointly, and each " of them separately, his true and lawful attornies, and authority for him the " said sheriff, in his name and as his act and deed, to sign and seal any deputation " or deputations for the impannelling of juries, and also for the execution and due " return of any of the King's writs of inquiry, or other writs, precepts or mandates " whatsoever that may be directed to the said sheriff; and likewise to do, make " and execute all such other acts, matters and things whatsoever, as the said sheriff " could personally do by virtue of his office of sheriff; and the said sheriff doth " hereby ratify and confirm, and agree to ratify and confirm all and whatsoever " his said attornies, or either of them, shall do or cause to be done, in all or any " of the premises aforesaid. In witness, &c.

E. Broderip, Esq.

(20 June.)

(Signed) " *Charles Warwick Bampfylde* (L. S.)"

I believe you have executed the office of under sheriff for many years?—With the exception of three years, the office of under sheriff has been executed by me and my partners since 1792.

Then from 1792 you must have known this gaol and the gaolers?—I have.

Have you known Mr. Bridle, the present governor, ever since he had the appointment?—I have.

Have you been well acquainted with his conduct ever since he was appointed?—I have, as well as the distance between us would admit. I have often visited the gaol, and I have seen him at the assizes and sessions, and very often upon other official occasions, and always considered him, with one exception which I shall think it my duty to mention, a most excellent officer, as far as I had an opportunity of judging. The exception is this, I don't exactly know how long ago two men were confined in this gaol under sentence from the quarter sessions, as near as I remember, for a year each, for some violent outrage in the town of Ilchester; and I had information that these two men had been removed from the time ward, where they were and ought to have continued to be confined, to the upper debtors ward, in consequence of their having been charged in two civil actions. I immediately came to the gaol and investigated the business, expressed my astonishment and disapprobation, and ordered them immediately to be put back in the time ward. I don't at this moment recollect that I had ever any other cause of complaint against Mr. Bridle.

Have you frequently or ever attended the magistrates meeting at the gaol sessions here?—Very often.

Have you ever on those occasions known his conduct complained of?—No, except on one occasion. There was some complaint among the magistrates, that some of the wards that they had been visiting were not so clean and in such good order as they used to be; and to the best of my recollection, on Mr. Bridle being spoken to on the subject, he stated that he had come home the evening before from London, where he had been upon business; and that some of his under officers had not been so attentive as they ought to have been; and I think the magistrates, before we parted, desired me to speak to Mr. Bridle myself, as under sheriff, upon the subject.

Is that the only instance within your recollection of any complaint having been made against Mr. Bridle since he has been the gaoler?—I think it was hinted to me by one or two of the visiting magistrates, I think at that same time, but I am not clear of that, they had heard there was a good deal of company here in Mr. Bridle's absence, or something to that effect; and I spoke to Mr. Bridle afterwards upon those subjects. I can only add, that I always considered him a most excellent officer, and if I had not, I certainly should have mentioned it to the magistrates.

Have you any recollection when this complaint was made?—I rather think it was early in the last year.

Do you know whether those complaints were recorded in the magistrates journal or the occurrence book?—I don't remember that it was.

Was it made a formal matter of complaint, or only mentioned as a subject on which he was to be remonstrated with?—To the best of my recollection some of the magistrates had gone round the gaol to examine it, and it was after their return that these observations were made, and the conversation took place.

Are those the only instances within your recollection?—I can't recollect all the instances, the first was the only one that struck me; I have been present when a variety of complaints have been made at different times, made by the prisoners in the parlour and decided upon.

What is your opinion of the state of the gaol as to the cleanliness of it and the prisoners?—It has always appeared to me, as far as my observation went, that the gaol was kept clean and in order.

E. Broderip, Esq.

(20 June.)

And with regard to the prisoners as to their cleanliness?—I never saw any thing to the contrary, nor heard any thing to the contrary, till the investigation took place before the magistrates.

Do you recollect when the fever was in the gaol?—I do; Mr. Milliar was then the under sheriff.

Did you attend here at that time?—No.

Cross-examined by Mr. Hunt.—You and your partners have held the office of under sheriff for twenty-nine years, with the exception of three years?—Yes, alternately.

Why alternately?—I object to answer that question.

Would your answering that question tend to criminate yourself?—That I object to answer also; I am in the hands of the commissioners, if they say I ought to answer it, I am ready to do so.

Can a sheriff legally appoint more than one under sheriff?—I can't say.

Then upon your oath you say you do not know whether a sheriff can legally appoint two under sheriffs?—It is matter of opinion; I shall not answer that question.

Did you act as an attorney at Michaelmas sessions last year?—I decline to answer that question.

You have sworn that Sir Charles Bampfylde was not at the Michaelmas sessions?—I don't believe he was; I did not see him there; he did not attend in the room at the time that order was made.

You can swear Mr. Milliar was not there?—He was not in the room when the order was made; and I think he was not at Taunton; but I can't swear he was not, because it would be carrying the matter a little too far.

Were you under sheriff at the assizes that were held at Wells previous to that in August?—I was not.

Were you privy to a similar order that was made there relative to Mr. Kinnear and me?—I was present when an order was made relative to you and Mr. Kinnear; but not a similar one to that made at Taunton.

[Magistrates Journal produced. Copy of an order received from the under sheriff at Wells read.]

Was Mr. Milliar the under-sheriff there or not?—I fancy Mr Milliar was in court, attending his duties there.

But you acted in the room as the sheriff's agent?—I dd not act at all.

Then Mr. Milliar attended as under sheriff in court, and you acted as under sheriff in the grand jury room?—No, I did not act at all as under sheriff; I sat there and heard what passed, and occasionally gave my opinion on what was passing.

Are you a magistrate?—No.

In what capacity were you attending among the magistrates then, and giving your opinion?—I attended under the authority that has been produced.

Then you attended by the authority of the high sheriff?—I attended under that authority.

Were you in fact acting under the authority of Sir Charles Bampfylde, the high sheriff?—I was, as far as what I did went, which was nothing; I believe I can state that the name of sheriff is not introduced into that order.

I think you said that Mr. Milliar was acting under the same roof, in court, as under sheriff?—I believe he was there.

Sir Charles Bampfylde was at that Assizes?—He was.

Do you know whether he gave his consent to that order?—No, I do not.

Was he present in the room?—No, not that I recollect; I don't believe he was.

Did any one give their assent in the name of the sheriff?—I was there and assented to what passed by not objecting to it

Did you sign it on behalf of the sheriff?—I did not.

Did he sign it himself, or any one for him?—Mr. Milliar signed it as under sheriff, I believe.

I thought you said Mr. Milliar was not present?—I don't know whether he was or not.

Examined by the Commissioners.—Do you know whether he signed it or not?—No, I do not.

Cross-examination by Mr. Hunt resumed.—But you say that you attended there under the authority of the high sheriff, how came then any other person to sign that order for the sheriff?—As the order was read just now, it does not appear to me that it was signed by any body on behalf of the sheriff.

To your knowledge was the sheriff consulted at all on the subject?—I don't know that he was, nor was he consulted on any of the previous orders that were made relative to you and Mr. Kinnear, which were made in the presence of the same persons; viz. the magistrates of the county and of me.

The

E. Broderip, Esq.
(20 June.)

The reason you did not consult him at the time when those previous orders were made was, because he was not present. If the sheriff had been present he would have answered for himself and signed for himself?—I do not know what you mean; I signed nothing for the sheriff that I recollect.

[Adjourned at 6 minutes past 1 P. M. until 6 minutes past 2 P. M.

The Commissioners re-assembled at that time.

Edmund Broderip, Esq. being re-sworn, stated as follows: I wish to add to the last answer, either to the Wells assizes or Taunton sessions, relative to those orders.

Cross-examination by Mr. Hunt resumed.—But you gave your consent on behalf of the sheriff?—At the Wells assizes, the magistrates made the order, but I gave no consent for the sheriff. The sheriff's name was not mentioned; but I made no objection. At the sessions at Taunton I gave consent on behalf of the sheriff.

I think you stated that the sheriff had nothing to do with the order made at Wells?—I did not say the sheriff had nothing to do with it; I said the sheriff's name was not mentioned in the order.

Then you did not say that it was an act of the magistrates, and not of the sheriff?—The order speaks for itself. The sheriff's name is not mentioned; I gave my opinion, but not on the part of the sheriff.

But so far from objecting to it you approved of it?—Yes; I approved of it in my own mind. I beg to add, that the order made for the accommodation and comfort of Mr. Hunt and Mr. Kinnear at the gaol sessions in July, was made in like manner, and by the magistrates there assembled, and by me there officiating on behalf of the sheriff; that was after Sir Charles Bampfylde was sworn into office; and the order of the 14th August was signed by many of the same magistrates as signed that of the 6th July; but I did not sign either at the time Mr. Hunt was delivered into the custody of Mr. Bridle; I was in fact sheriff of the county, the execution of the office having devolved upon me in consequence of the death of my principal, Mr. Napier; and as soon as I possibly could, after I had notice of Mr. Hunt being here, I got a meeting fixed.

I think you said you gave your opinion at the making of the order at Wells, and that you rather approved of it?—Yes; the magistrates asked me, as an old officer who had had some experience of the affairs of the prison.

What office did you hold there?—None; my approbation or disapprobation had no weight with the magistrates that I know of.

Was it any act of the sheriff's?—I don't know that it was.

As the sheriff had nothing to do with it, in what capacity did Mr. Melliar sign it?—I did not see Mr. Melliar sign it.

Did Mr. Bridle come to you for an explanation of that order made at Wells?—He did.

In what capacity did you act?—I acted in no official capacity on that occasion. Mr. Bridle came to me on the Sunday morning to my house to ask me two or three questions upon that order. He had written them in pencil. I have no copy of the questions, nor have I any copy of the answer, save what is upon the brief in the affidavit made by Mr. Bridle in answer to Mr. Hunt's application to the court of King's Bench.

What did Mr. Bridle apply to you for?—Mr. Bridle applied to me for my opinion as to the construction of some parts of the order.

Was it to know whether I was to see my female friends (who were excluded by that order from coming to my private room) in the conversation-room, or at the place where the felons see their friends?—I don't exactly recollect; as near as I can recollect, it was whether Mr. Hunt was to see any persons except within the hours mentioned in the order, and whether people were to be admitted to see him in the conversation-room or visiting-room.

What answer did you make to that latter part?—I gave him what my opinion was, and referred him to the visiting magistrates.

[The answer of the witness to Mr. Bridle put in and read.—"Sir, I conceive that "no visitors ought to be admitted into the private rooms except in the hours "mentioned in the accompanying order; and I think the general rule as to the admission of visitors into the conversation or visiting-room still remains as it was, and "includes both the prisoners in question, who are entitled to the benefit of it; but "when either of these gentlemen choose to remove from their private apartment to "the visiting-room to see any friends there, all visitors then in the private apartment "ought to quit the gaol. If you wish for any further information, I think you should "apply to the visiting magistrates.

"August 20, 1820. (signed) "*Edmund Broderip.*"]

Then your opinion was that Mr. Kinnear and myself should see those female friends that were excluded from our sitting-room at the visiting-room, I mean the room up stairs?—Certainly; not the room at the lodge with the grating.

Did you understand, that when my ward applied to see me I was refused seeing her any where but at the cage?—I know nothing of that.

E. Broderip, Esq.

(20 June.

Did not Mr. Bridle in his application to you state, that I was a very improper person to go into the debtors conversation-room?—I recollect nothing of the sort. Mr. Bridle did not appear to come to me with any vindictive feeling toward you.

Can you say, that these words were not used, Hunt is a very improper person to be entrusted in the conversation-room?—I have no recollection of any such words.

Then by refusing to allow my ward to see me at any other place than the room at the lodge, Mr. Bridle did not act upon your opinion?—Certainly not.

Did not Mr. Melliar the under sheriff live close by you?—He lives in the same town.

The order that was made at the sessions when you were present on 6th July was, that I and Mr. Kinnear should see our friends in our own rooms, from nine in the morning until sunset. Perhaps you can tell what complaint was made to induce the magistrates to rescind that order?—The representation, as near as I can recollect, was made in the room.

By whom, Mr. Bridle?—Mr. Bridle did not first make it; I believe the visiting magistrates began, and Mr. Bridle was sent for.

Who was it made by?—I cannot recollect who. I rather think that Dr. Colston or Mr. Moody were asked about it, and Mr. Bridle was sent for, who was down below in the court. It was stated as near as I remember, that a Mrs. Vince and Miss Gray had been in the habit of visiting in Mr. Hunt's private room for some time, a fortnight or three weeks; that parties of people were in the habit of dining in this apartment with these ladies; that dinners and wines and liquors were had from the inn and brought into the gaol, and it was felt that that was contrary to the rules and regulations of the gaol.

And that was positively stated in the room by somebody?—Yes.

But you don't know by whom?—No, I do not; but I think Mr. Bridle confirmed in a great measure what had been stated. It was stated or confirmed by the visiting magistrates.

Do you recollect what number were said to have dined?—No; I think it was six or eight.

And that was stated by Mr. Moody or Dr. Colston, or confirmed by one of them?—It was confirmed by them or by Mr. Bridle, but by which of them I do not now remember.

And that statement was made on Monday the 14th of August, at Wells.

[Magistrates Journal, 12th August 1820; read.]

And yet you say, that Mr. Moody confirmed the statement, that I had wine from the inn?—I don't know that Mr. Moody confirmed the statement about the wine in particular; but Mr. Moody and Dr. Colston were present when the statement was made, and they were asked something about it and did not contradict it, and they afterwards signed the order. I know nothing of the order made by Mr. Moody of the 12th of August; nor do I know that the statement to Mr. Moody, that induced him to make that order, was true or not.

Are the magistrates then in the habit of making orders in this book without inquiry into the truth?—I really do not know upon what grounds the magistrates make those orders, generally speaking.

Did Mr. Bridle state that I had ever been permitted to have one pint of wine in since I came to the gaol?—I do not remember that any thing particular passed; but the feeling of the magistrates was, that it was very improper to have parties of this sort dining in the gaol.

Did you ever take any means to ascertain whether that statement was true or not?—No; I did not.

Did Mr. Bridle or the visiting magistrates state that I had ever had more than six to dine in that room?—I do not recollect.

Don't you know that it was a public room for me and Mr. Kinnear?—I know it was assigned to you and Mr. Kinnear jointly.

Did you ever ascertain from your gaoler or any one else, that either Mr. Kinnear or myself had more than six persons dining in that room?—I never asked the question.

Were no other persons named except Mrs. Vince and Miss Gray?—I think your son's name was mentioned.

Did you hear Mr. and Mrs. Kinnear mentioned at that time?—I do not recollect.

Was any other names mentioned?—I don't think the names were particularized.

Did not you understand that it was an objection that wine should be had from the inn?—I don't remember that that was mentioned; the feeling of the magistrates was that it was highly improper that parties should be dining in the gaol; generally speaking.

Is there any prisoner in this gaol who is prohibited from seeing his female visitors at the same place where he sees his male visitors?—I am not aware that any prisoners in this gaol of any description, are permitted to see their friends, in the manner that Mr. Hunt and Mr. Kinnear

Kinnear were, and that Mr. Hunt is now; I can't speak of the rules without they are before me; I apprehend a debtor may see his friends at the conversation-room; and that felons may see their friends at the lodge; I am not aware that any prisoners in this gaol have the privileges that you have, or the indulgences that have been extended towards you in that respect. *E. Broderip, Esq.* (20 June.)

Do you know of any rule to that effect?—I don't know whether there is any rule or not.

You stated to-day, that with one exception Mr. Bridle had always conducted himself as an excellent officer, and that is the only exception that you know?—Yes; that I recollect, of any improper conduct. There have been a variety of complaints made at different times by prisoners; not to me, but to the visiting and other magistrates, assembled at the gaol; and the complaints have been inquired into and settled some how or other, but not to the disadvantage of Mr. Bridle.

Do you remember any complaints made by any of the officers of the gaol against Mr. Bridle?—No; I do not.

Do you recollect two turnkeys, Chapman and Avery, making complaints against him?—No, I do not; I remember the name of Chapman, but not Avery; Chapman was turned away, I believe.

For making a complaint against Mr. Bridle?—No, I should think not.

Do you remember any petitions being presented to the House of Commons?—Yes; one that was presented by Sir Francis Burdett, I do perfectly well; I took some part in that; I came here, by direction of the magistrates, to examine the people who signed that petition; I took their depositions, and I think they almost all of them negatived the facts contained in that petition.

Was that petition presented by Sir Francis Burdett?—Yes, I came here to take their depositions, and I believe I prepared a statement to be laid before the House of Commons upon the occasion.

Do you remember another petition in 1813, that was got up in the gaol?—I have not the least recollection of it.

Do you recollect that the men who signed that petition were put into solitary confinement?—No.

The exception that you mentioned, should you have known of it if you had not been written to by Mr. Tuson respecting it?—I had a letter from Mr. Tuson, and from Sir John Acland too.

Then other transactions might have happened without your knowing of it?—Certainly; and I dare say many have.

Do you remember a debtor here of the name of Aaron Joseph, of Frome?—I do not remember any debtor of that name; but Aaron Joseph and another man were convicted of a misdemeanor, and sentenced to imprisonment; and being persons of some respectability, and some application being made, but I don't know where from, they were placed, I believe, not with the convicts.

Do you always, in your office, get the same indenture from every sheriff?—I do not know.

Do you recollect, when you were under sheriff, sending your son here to attend an execution?—Yes, I think I do.

On that occasion neither the sheriff nor under sheriff were present?—I shall not answer that question.

Do you know of any application I made, as a prisoner in this gaol, to the court of King's Bench?—I do.

Did you not send me a bill of costs relating to that application, amounting to 54*l.* or 55*l.*?—The taxed costs are above 50*l.* but they have not been paid.

Did you ever give me notice for the taxation of costs until after the investigation commenced?—I did not; because Mr. Lushington of the Crown-office, and whose business it is to tax costs of this description, refused to tax the costs during Hilary vacation, as our agent in this case, Mr. Dine, informed us by letter in answer to our pressing applications to have the costs taxed.

In consequence of a letter I sent to Mr. Melliar on 22d December last, making certain complaints, did you, or the under sheriff, come here to investigate those complaints?—No; because those complaints had been laid before the court of King's Bench, in an affidavit of Mr. Hunt's; and in cconsequence of that affidavit, and the rule obtained under it, those complaints had been investigated by the under sheriff, and affidavits had been obtained in contradiction of the statements made in Mr. Hunt's affidavit, and therefore any further investigation was unnecessary.

Did you or Mr. Melliar receive a letter from Sir Charles Bampfylde, directing you to come here and investigate those complaints?—Yes; addressed to me.

E. Broderip, Esq.

(20 June.)

[*Letter produced and read.*]

" Sir, Hardington Park, 6th December.

" I yesterday received the inclosed letter, and am to request, that either yourself " or Mr. Melliar will go immediately to Ilchester and investigate the conduct " of the gaoler, which appears to me to be outrageous in the extreme. By the " opinion of the judges, Mr. Hunt is my prisoner, who I am determined shall " be treated with every lenity his situation demands, in spite of the opinion of the " magistrates.

" I am, most faithfully, your's,
(signed) " *Charles Bampfylde.*"

Did you, or the under sheriff, in consequence of that letter, go to Ilchester to investigate the matter?—No.

What was the reason you did not come to Ilchester to investigate the conduct of the gaoler, agreeable to the order contained in that letter?—An answer was sent to that letter, of which the following is a copy.

Wells, 6th December, 1820.

And Sir Charles Bampfylde sent no answer to it. That letter was shown to me for my approbation. Mr. Melliar came to Ilchester, but did not see Mr. Hunt, because Mr. Hunt's affidavits were before the court of King's Bench.

When the under sheriff came, he did not see me; but when the high sheriff came, he did see me?—I heard so.

Have you any doubt that Sir Charles Bampfylde came here and saw me?—I have no doubt of it.

The first letter I sent to the high sheriff on the 30th October was sent to you?—Yes.

Did you come to Ilchester to investigate the complaint contained in it?—No; because I knew all the facts from my own knowledge.

You have had various complaints made to you by prisoners since you have been under sheriff?—I never had any complaint made to me that was important without attending to it.

But did you ever relieve a prisoner in consequence of any complaint he made of this prison?—I am not aware of having refused redress to any prisoner that applied to me.

But you won't say that you did not join in the order to send Stockham and others into solitary confinement, for having prepared a petition to be presented to the House of Commons, praying for redress of grievances in this gaol?—I have no recollection of any such circumstance; I don't think it probable I should have made such an order if it had been in my power to do so.

The under sheriff's office is about eighteen miles from Ilchester?—Seventeen miles.

And the sheriff's office has been seventeen miles from the county gaol for the last twenty-nine years, with the exception of three years?—Yes; and during those three years I believe at a greater distance.

Is it with your knowledge or consent that criminals are hung in irons at this gaol?—I don't know that I was ever consulted about it; I never gave any assent, if you mean that.

Did you never give any orders to prevent it?—I never knew it was done; and therefore never gave any orders about it.

Is it with your knowledge that prisoners are tried in irons in this county?—I know nothing about that; I never saw any prisoners tried in handcuffs; what they have had on their legs I can't tell.

[Adjourned at 6½ P. M. until 9 To-morrow morning.

THURSDAY, 21st JUNE 1821. The Commissioners re-assembled at 9 A.M.

John Poole called in; and Sworn.

John Poole.

(21 June.)

WHERE do you live?—At North Petherton.

Were you in this gaol?—Yes.

As a felon under sentence?—Yes, for six months.

When were you discharged?—12th February last.

Examined by Mr. White.—What were you here?—Constable in the convict ward.

Did Mr. Bridle ever visit that ward?—Yes.

How often did he visit it?—Sometimes once a day, and sometimes twice a day, when he was at home.

How

How did he conduct himself towards the prisoners?—He asked them very often whether they had any complaints to make; for he said he would do any thing for them to make them comfortable in the situation they were in; and if they had any complaints, to let him know it. *J. Poole.* (21 June.)

In the cold weather, in the winter, did he do any thing particular?—Yes; he gave them coal extraordinary; I believe the allowance was one cwt. a week, and he gave them another cwt. a week.

Did he do any thing else in cold weather?—Yes; he asked if they lay warm by night; and some said they did not, and he gave them extraordinary blankets; some one and some two, as they did want.

Was he applied to for these things, or did he do it voluntarily?—He did it voluntarily; he asked them if they wanted them; they made no complaint of want of fire or bedding.

Did Mr. Bridle inspect your cells?—Yes.

How often?—When he was at home sometimes he has been all over the cells on my side twice a day. When in the morning he has seen the bed-clothes not folded up right, or not quite clean, or any cobwebs about, he has come up again in the evening, and examined all round.

How often did he do that?—He made a rule of coming always twice a week, when he was not regularly at home; and when he was at home, constantly through the week, he would be there most days.

Did he ever come to your ward with the shop?—Yes.

What did he do or say on those occasions?—He would look into the baskets of what they had to sell, and would ask the men if they liked it, and tell them if they did not like it, they were not obliged to buy it; and he wished every man to lay out his money to the best advantage.

Any thing else?—I have seen him walk with the butchers, and men with potatoes, and that.

Did you know a prisoner named Gardner whilst you were here?—Yes.

Was he ever punished whilst you were here?—Yes.

What was his character?—He bears a very bad character in prison; I don't know what he bears out.

What was his conduct?—In a cursing, swearing, wicked way.

What did he curse and swear about?—The time he was locked up, Mr. Bridle sent for him. Mr. Pike came and let him out, and had him down to Mr. Bridle; what he said to him I don't know; however, he was ordered back into his cell again; and I went back with him, and going up the steps I said, Gardner, how can'st be so wicked, and such a foolish fellow? says I; why does'nt humble and beg Mr. Bridle's pardon. He said, he'd be damn'd if he'd humble to him, nor yet beg Mr. Bridle's pardon; damn and b——r Mr. Bridle and the magistrates too; he would see them all in hell first.

Did you ever hear Mr. Bridle speak to him?—Yes.

What?—I have heard Mr. Bridle ask him how he was, when I let him down in the morning, and the same in the evening; sometimes he would say he was pretty well, and sometimes he would not speak to him at all.

Did Pike ever visit him?—Yes.

Did any thing particular pass on those occasions?—Mr. Pike would visit him three or four times a day, and I along with him.

Who gave him his meals?—I did.

How often was he taken out of his cell to walk?—Every morning; I let him down betwixt six and seven o'clock, and there he would remain sometimes an hour or an hour and a half; and I would go to him in the day time, and ask if he wanted to come out or to ease himself; sometimes he would and sometimes he would not; and I let him out the same in the evening down to walk in the passage.

For how long?—I don't know; I can't tell to a quarter of an hour; sometimes we would let him down at half past six; we did not lock up regular to a quarter of an hour; he would remain down till the men were locked up, unless he chose to go up sooner, which sometimes he did.

Was this done every day?—Yes, it was.

What was his general conduct while he was in confinement?—Always damning, blasting and sinking. Sometimes I would go to him myself, and ask how he was: damn your eyes, says he, I wish I had the hanging of you; I wish I'd got the skinning of you alive. And at last I was almost afraid to go into the cell to him.

Did you know a prisoner of the name of Hiliard?—Yes.

J. Poole.
(21 June.)

What was his character?—He was not much better than Gardner, while he was in the ward with me.

What was his general conduct?—Always cursing, running out against the prison.

Was he confined at all?—Yes; he was locked up once while I was here.

Before he was locked up how was he employed?—He did not do any work the time he was locked up; he was under sentence of transportation.

Did you ever hear him say any thing on any particular occasion?—The time he was locked up I heard him say, if it lay in his power, he'd be damn'd if he would not set the place on fire. And after that he went to work. After his sentence was taken off for eighteen months hard labour, and he used to go round to the wards after the ashes; he would generally go to Mr. Hunt's ward before he went to the convicts ward. I have seen him go into Mr. Hunt's ward and come out with the ashes. Hiliard came to my ward and asked what the men did say about Mr. Hunt. I said, I don't hear them say but little about him; because, says he, tell them to bear it up with good spirits, for Mr. Hunt is going to do something for them. Says I, I tell thee what it is; don't thee carry news backward nor forward, for if so be that I should report it to the officers or Mr. Bridle, thee would get thyself locked up; for, says I, that is the way to bring a mutiny in the place: and he promised me he wouldn't have any more to say about it.

How often had the men prisoners clean linen while you were here?—Every Sunday morning shirts and stockings, if there was occasion for it. The shirts and stockings had every man's number upon them. Some of the men, when they had a new pair of stockings, would keep a pair by them and wash them themselves, for fear of not getting a pair till the week's end.

How many shirts was there of each number?—Two shirts and two stockings of one number.

Did you ever know them have swelled or raw feet for want of clean stockings?—No, never in my life. I have known some of them have a new pair of stockings, and they have been so warm they have cut the feet off, and worn them without.

Did you ever hear any of the prisoners complain of Mr. Bridle while you were here?—I have heard them speak in praise of him many times while I was here.

What have they said of him?—That he was a very good sort of a man, and a very fit sort of a man, for the situation he was in; and I have told them several times that he was too good, and gave them too much indulgence.

Did you hear any of the prisoners complain of him?—I never heard any prisoner complain of him to no magistrate nor officer, nor yet to me; nor I never heard him swear an oath, nor give any prisoner an angry word the time I was with them; but he gave them every indulgence that lay in his power, on purpose to make them comfortable.

Did you attend divine service at the chapel while you were here?—Yes; I never missed above three times during the whole six months.

Where did you sit in the chapel?—On the left hand going in, opposite Mr. Bridle's pew.

Did Mr. Bridle attend?—Yes, when he was at home.

How often?—When he was not at assizes or sessions; or gone with convicts; or ill; he attended regularly. I always remarked when he was there, because he leaned his hand on the front of the pew or gallery, and looked over on the prisoners; and if he saw any one asleep or laugh, or do any thing, he would tell me of it afterwards, or else speak to them himself.

Did you ever in your life see Mr. Bridle drunk?—No.

Tipsy?—No; I never saw him worse for liquor in my life.

Did you ever hear of his being a drunkard?—I can't say I never heard of it. I heard it read from the books that have been given out.

Do you remember a criminal named Hibberd, who was executed here?—Yes.

Did you assist in the execution?—Yes.

Was Mr. Bridle near him in his last moments?—Yes, close behind him, till the halter was tied round his neck, and till Hibberd called to Mr. Bridle. Mr. Hibberd said "Mr. "Bridle, Mr. Bridle, I be falling." "My dear fellow," said he, "what dos't want, I be "coming," and ran up the steps, but what Hibberd said I don't know.

What was Mr. Bridle's conduct to the criminal in his last moments?—Very good; he came and attended him the last night at one or two in the morning, and asked if he wanted any thing, and whether he was quite satisfied; and he ordered him a quart of tea and some bread and butter about five o'clock the same morning; and it was brought to him accordingly.

Was

Was this the morning on which he was executed?—Yes.

J. Poole.
(21 June.)

I asked what was Mr. Bridle's conduct to him on the platform?—Mr. Bridle shook hands with him, and begged him to put his trust in Almighty God, before the halter was put round his neck; but Mr. Bridle did not give him any rough usage nor any one else while I was upon the drop; and I was there when he went up, and I stopped there till he was cut down, and helped to put him into the coffin.

Did Mr. Bridle make use of any profane expressions whilst he was upon the scaffold?—No; he seemed to be very sorry for him.

Did Mr. Bridle make any harsh expression to the criminal?—No; I never heard him make any rough usage to him or to any one else.

Must you have heard such an expression if it had escaped Mr. Bridle?—If Mr. Bridle had but whispered, I must have heard it.

Cross-examined by Mr. Hunt.—Do you mean to say that Hibberd was executed within six months before February?—No; I have been here twice.

How long were you here the first time?—Twelve months.

What was that for?—Knocking down a couple of ducks.

Was it for felony or misdemeanor?—I don't know.

Was you a constable the first time?—Some part of it.

Was you ever locked up yourself?—No; only at night when the other men were.

Was you ever put in solitary confinement before or after trial?—No.

Are you a married man?—Yes.

Did your wife ever come to see you here?—Sometimes.

Did she ever come and not see you?—Sometimes I would not see her.

You are quite sure the men had clean stockings every week while you were here the last time?—If there was occasion for it; and several of them would keep a pair by them for fear of wanting any till the week's end, and wash them themselves.

What do you mean by wanting any till the week's end?—Sometimes they would have a new pair given in on Sunday morning, and then till the week's end they would keep the old pair and wash the new ones themselves, for fear of having an older pair given to them.

Had you means of going all over the gaol the same as the constable at the lodge?—I could go over the gaol whenever I liked; when I asked for the key; down in the factory, or anywhere after water or mops.

Where were you when you saw Hiliard come out of my ward?—Down in the factory.

What were you at there?—I was there after a mop, and saw Hiliard go in there more than once or twice after the ashes. You know Mr. Hunt it was a rule for him to go there every morning but Sunday.

Which was your ward?—The convict ward.

Where is that ward?—Next the chapel.

Then you know they go to my ward from the convict ward for the ashes?—No; they come from your ward to the convict ward. I believe it is the rule to go first to the women's ward.

Where were you standing when you saw Hiliard come into my ward for the ashes?—Down in the factory.

Did you ever see him or any one else go there for the ashes without an officer?—No; sometimes George Bridle, and sometimes Mr. Davis.

Will you swear they went that way to my ward for the ashes within these twelve months?—Yes.

Then you don't know that they come the other way by the back, and not through the factory?—They used to go the last six months I was here down to the women's ward and round to the factory; and then all up there to Mr. Hunt's ward along the passage, and through the chapel; and then they came into the passage betwixt the felons ward and the convict ward, after the ashes.

And you swear you have seen them do this within the last six months you were here?—Yes.

And you have seen them come into my ward from the factory, and go out the other way?—I have seen Mr. George Bridle lock the door and go up through the passage with the men; and when I have come back to my ward, Mr. George Bridle, and the men with the ashes, have come through the chapel to my ward.

J. Poole.

(21 June.)

You say Mr. Bridle has come into your ward once a day, and sometimes twice?—If he did not find it clean in the morning, he would come again in the afternoon.

How came the cobwebs in the cells, if Mr. Bridle had been there the day before?—In the summer the cobwebs will be spinned in one night.

What did he do when he came with the shop?—Look into the baskets and examine the things, and ask the men whether they did like them or not.

Open the things and see if they were good?—They were open in the basket, except the tea and sugar and things; the bacon and butter were open in the basket, and the things that are kept wrapped up for the men to see.

And he took care to examine that the men had good things and good weight?—Yes.

This he did with the butchers?—Yes.

And saw that it was good meat, and that it was weight?—Yes.

And he did this frequently?—Yes; when he was at home.

What did he say to the women when he found any thing bad?—He used to say to the men that they were not obliged to buy it without it was good.

Did he ever find that any of it was bad or not weight?—I can't say but that there has been plainish meat brought in before now.

What did he say to the butchers then?—I never saw the men buy any of it.

Did Mr. Bridle ever detect any bad things or bad weight?—I have heard Mr. Bridle order them out with the potatoes when they have not been good.

Did he ever find any of the shop people with bad weight or bad goods?—I never heard him object to any thing but the potatoes.

Did they bring weights and scales, and weigh it for you?—The bacon man did and the butchers.

But the shop people did not?—Not the women that came every morning, not that I did see.

But you are sure that Mr. Bridle the governor frequently examined to see that you were not cheated?—Yes, and he looked into it very much.

You are sure you have told the whole truth about Gardner, and kept nothing back?—I have told all I have been asked.

But did you tell all?—I don't know what you mean; all I told was truth.

Then Gardner was treated no other way than you have told us?—He was locked up; and I had the care of him from the time he was locked up until he was let down; but I believe the strait-jacket has not been mentioned.

You forgot the strait jacket?—I don't know that I forgot it; I did it myself by Mr. Pike's orders, and his helping me.

Was there any thing else that you have forgot?—If you ask me any thing, I'll resolve you.

Then you know nothing else that happened to Gardner?—Yes, I do.

What was that?—I know that I helped to put a blister on some part of his head.

What was the matter with him?—I don't know what was the matter with him; he was in a very wicked, cursing, swearing way.

Was the blister put on to cure him of that or any other complaint?—I don't know what it was put on for.

You were never told what it was put on for?—To the best of my knowledge, I was never told; nor heard what it was put on for.

Was it put on for swearing?—I was never told.

And you don't know?—No.

Was he damning, swearing and sinking before or after the blister was put on him?—Before and after too, but he was not quite so bad after as he was before.

Then do you think the blister did him any good?—I don't know whether it made him better or worse, or whether it made him afraid.

How came you not to tell about the strait waistcoat and the blister before?—I was not ashamed to tell about it; but I was not asked.

Did he ever wish to ease himself when you have asked him in the day?—Yes.

How then?—Why I have let him out, and he has gone to do it.

Where did he go to?—I had a chamber-pot very handy the cell for him in the middle of the day, when he wanted to ease himself; when he was locked up first, I let him have a chamber-pot with him in the cell, and he kept breaking them; then I did not let him have them afterwards, but made him come out when he wanted to come out.

Did

Did you do any thing to him at the time?—Yes, I let him in and out, and gave him his victuals. *J. Poole.*

Did you do any thing for him, when he wanted to ease himself, when he had the strait-jacket?—I took it off, and sometimes I found it off. (21 June.)

And you frequently took the waistcoat off for him in the middle of the day?—When he wanted I did; and I took it off when he wanted to have any thing to eat; I took it off morning and evening.

Was Hiliard done any thing else to but being locked up; was that all?—Yes, it was, before I took my trial.

You heard Hiliard say that Mr. Hunt would do something for the prisoners?—Yes.

And you told him that was the way to breed a mutiny in the gaol?—Yes.

And he never did it since?—I never spoke to him afterwards.

You have heard the prisoners speak well of Mr. Bridle?—Yes; in gaol and out.

And you never heard any of the prisoners speak ill of Mr. Bridle, or the gaol, in or out?—No, but praise him and the gaol; at the assizes and sessions I have heard the prisoners wish, if they came off for time, that they might come back with Mr. Bridle; they would sooner come back here than go to any other prison.

And Mr. Bridle had behaved so well to the prisoners that you have often told them so?—Yes, and I wish I had a twelvemonth to stay with him now.

You have been here twice, and you wish to be here a third time?—I don't wish to do any mischief; but if I was here, I should like to stay a twelvemonth.

Mr. Bridle attended divine service every Sunday while you were here, when he was at home?—Yes.

I think you said Mr. Bridle was close to Hibberd, from the time the halter was round his neck till Hibberd called to him?—So he was; I was close to him.

And then he ran away up the steps?—Yes.

But if he was close behind him, why did he run away up the steps to him when he called?—Because Hibberd had but one leg, and he could not stand after the halter was put on: there were some mats brought for him to sit upon, and Mr. Bridle was the man that steadied the mats close behind him: Mr. Bridle stood down on the lead on the top of the lodge, and Hibberd was a-top of the drop, and rested on these mats; so by that means Mr. Bridle's head was very near Hibberd's backside. Then Hibberd called out for Mr. Bridle, and begged him to come to him: "My dear fellow," says he, "what do'st want?" and away he ran round from where he was and went up the steps, and came and spoke to him.

You did not hear what he said to Mr. Bridle, or what Mr. Bridle said to him?—No.

Re-examined by Mr. White.—How far were the steps from the place where Mr. Bridle stood behind the culprit?—It might be about three yards.

Mr. Bridle was standing immediately behind the culprit?—Yes, guiding the cushions.

Mr. Bridle was not on the same level with the culprit?—No, he was standing below him.

Examined by the Commissioners.—Mr. Bridle was standing behind the drop?—Yes.

Were the steps in the front of the drop?—No, at the end.

How far was it from where you stood to the steps?—It might be about two yards.

How far was it from where you stood to where the prisoner stood?—My head was close by him.

Was the farthest point at which Mr. Bridle was from you the distance between you and the steps?—Yes.

Did Mr. Bridle pass by you to the steps?—Yes.

Did he go further from you than the steps?—No.

Was Mr. Bridle more than two yards from you at any time?—He was not more than three yards from me.

During the time could he have said anything that might have been heard by any other person which you could not hear?—No; because I was the nearest to him, without it was Treganza.

And you did not hear what he said to the prisoner, nor what the prisoner said to him?—No; because they whispered.

Did the prisoner call him to come more than once?—Yes, he called twice; I don't know whether he called.

Did he call twice at the same time, or at different times?—He called just before he brushed by me, and once as he was going up the steps.

Who else was standing near you?—No one very near, but Treganza; he was further off than Mr. Bridle.

Who were standing near the bottom of the steps?—Several prisoners; there was one of the prisoners named Hodge.

How far was he from the bottom of the steps?—About five or six yards.

J. Poole.

(21 June.)

If Mr. Bridle had said anything when going up or at the foot of the steps, might not Hodge have heard it and you not?—No.

Did Mr. Bridle say any thing after he passed you till he got up to Hibberd?—No.

Were you so situated as to enable you to swear that he said nothing but what you have told us, after he was called by Hibberd until he got to him, that could be heard by any one?—Yes.

When the man called out and said he was falling, were any cushions sent for?—He was sitting on the cushion at the time he called.

Did he call out for support at any time before that which you have mentioned?—Not that I heard.

In consequence of what was it that the mats were brought?—Because we knew he had but one leg, and we thought he would want something to steady him.

Were they brought before or after the prisoner was placed upon the scaffold?—They were brought after he was up.

Did he ask for them?—I never heard him.

Who brought them?—I don't know; I believe Mr. Treganza brought one.

How is it that you recollect the name of Hodge, and do not remember the names of any of the other prisoners who were there?—I might not have known him more than another if I had not known him before he came in; I did not know half or a quarter of the prisoners.

Had any thing happened which caused these mats to be brought?—No.

He was on the drop before the mats were brought?—Yes.

Then what caused the mats to be brought?—I know no more than to steady him from falling after the halter was round his neck.

Why was he more likely to fall after than before the halter was put on?—He had a crutch to steady himself before it was put on; and when he was hand-bolted he could not take hold of the crutch to steady himself; and I suppose the mats were brought for that.

Was he fastened in the manner you have described before or after the mats were brought?—I am not sure; but I believe they were brought before he was hand-bolted.

Who ordered the mats to be brought?—I don't know; nor who brought them; but I believe Mr. Treganza brought one.

How long were they brought before Hibberd called out for Mr. Bridle?—I can't pretend to say exactly; it might be ten or twelve minutes.

Where were you at the time they were brought?—I was behind Hibberd.

Where was Mr. Bridle at the time the mats were first brought?—He was close to the top of the staircase that goes down to Mr. Pike's room.

How far was that place from where you were standing?—It was no distance at all; one side of the drop.

Did you hear any thing said at that time by Mr. Bridle?—I heard him say something to Treganza to hand up the mats, or some such words as those.

Did you hear him say any thing else at that time to the people who were handing up the mats, or to any others?—No.

Was you at that time so placed that you must probably have heard what he did say; or might he have said any thing that you might not hear?—He could not have said any thing for any body to understand without I had heard it.

Do you know where Hodge was at the time when Mr. Bridle called to them to hand up the mats?—No; I do not.

Did any person, upon the drop or near it, make use of these words from the time Hibberd arrived at the top of the staircase, until he was turned off, "Damn the fellow, I have no patience with him"?—I never heard it, or any thing like it, without they whispered it to themselves; I did not hear it.

In what way were Hibberd's arms fastened?—He had hand-bolts on, and his arms were tied back behind him with a cord, and the crutch was tied up under his arm.

Was he an old man?—He was about fifty.

What was the reason you did not say that you were confined here before the six months that you mentioned?—I did not know there was any occasion to mention it.

Knowing that you were sworn to speak the whole truth, and having told only part, how do you account for that?—I was not asked, and thought there was no occasion to mention what was a while back.

How came it that you knew that you were in custody the last time for felony, and did not know whether you were in custody the first time for felony or misdemeanor?—Because I did not know what the judge said.

You know what the judge said when he passed sentence on you?—No, I did not, until Mr. Bridle told me.

And what was your sentence?—Twelve months imprisonment.

And

J. Poole.
(21 June.)

And what the second time?—Six months.

Were they the only punishments?—I was flogged through the parish the first time, through Petherton.

Was the second time six months only?—Yes.

Which of these times was for knocking down the two ducks?—The first time.

And was that the time after being imprisoned twelve months, and being flogged, that you swore you did not know it was for felony or misdemeanor?—Yes; I did not know what I was committed for; they did not tell me.

Were you a constable in the prison during your first imprisonment?—Yes; it might be half the time.

In which ward?—The convict ward, and the time ward, at different times.

Were you constable before or after you had been flogged?—Afterwards.

In which ward?—In the convict ward and the time ward too.

And you have been constable during part of your last imprisonment?—Yes, all the time.

In which ward?—The convict ward.

Did you, when you said you went with Mr. Bridle when he inspected the cells, go during your first or last confinement?—The last.

Where were the rest of the prisoners when you went round with the governor?—They were down in the ward.

Did you usually see the prisoners when you and the governor went round to examine the cells?—Mr. Bridle came into the yard among them all.

What time in the morning did the shop come during your last imprisonment?—Between seven and eight o'clock.

What officer usually goes round with the shop?—Generally, Mr. Davis.

Is that the shop that you meant when you said you had frequently seen Mr. Bridle examine the articles, and ask the prisoners if they liked them?—Yes.

Supposing the prisoners had not liked the articles, was there any other place where they could have had them?—A shop-book comes round twice a day, where they might put down any thing they wanted afterwards.

Supposing Gardner had wanted to do more than make water, where would he have been allowed to go to?—The rule is, the prisoners in confinement should use the chamber-pot.

Was this done in the cell?—He came outside to the passage.

What became of the contents of the chamber-pot?—I carried it down and washed it out; and then brought it back to its place, in case he should want it again.

Where did Hodge stand?—Near the end of the opposite side of the drop to where I stood; by the steps.

Might not Mr. Bridle have used the expressions before-mentioned, intending them not to be heard by the prisoners, so as to be heard by Hodge, and not to have been heard by you?—No; I must have heard them.

How far was Hodge from Mr. Bridle when he was at the foot of the steps?—About five yards.

And how far was Mr. Bridle from you?—About two yards and a half.

Then do you mean to say, that he could not have spoken so as not to be heard by you, when his back was to you?—No; he never could have spoken to Hodge without my seeing his lips move, because I had my eye on him all the time till he came to the steps; he was looking with his face towards my face till he turned round and went up the steps; he kept his eye upon Hibberd all the time he was going round to him.

Then you mean to say that his head was turned towards Hibberd?—Yes.

And you swear that he did not turn his head in a contrary direction?—Yes; and he kept his eye constantly upon Hibberd, for fear of his falling.

Do you mean to say that you did not look at Hibberd, but only at Mr. Bridle?—I kept my eye upon Mr. Bridle; I had no occasion to look at Hibberd, for when Mr. Bridle went away, there was Treganza to guide the cushions.

[Adjourned at a quarter past 1 P. M. until a quarter past 2 P. M.

The Commissioners re-assembled at that time.

Richard Blisset, called in; and Sworn.

R. Blisset.

WHERE do you live?—At Chippenham, Wilts.

Was you ever a prisoner in this gaol?—Yes.

What for?—Taking a parcel on the road.

R. Blisset.

(21 June.)

How long were you here?—Ten months.

When were you discharged?—June the first.

How many years ago?—As much as three years, I believe; I am not certain.

Examined by Mr. White.—Were you employed in any capacity while you were here?—Yes.

In what capacity?—In labour; carrying stones for the new building.

Was the fever in the gaol while you were here?—There was some disorder; I don't know what it was.

Were many of the prisoners removed from the gaol on that occasion?—Yes, to Lymington.

Did you accompany them?—Yes; I was sent up there in trust.

What do you mean by that?—To see that the prisoners did not get off, in case it was not safe.

Did you do any thing else there?—No.

Who was the cook?—I don't know his name; I don't remember, it is so long back.

Were you in constant attendance at Lymington, or backwards and forwards?—I was in constant attendance there.

What was the state of the gaol, as to cleanliness, at that time?—A very clean place; very clean indeed.

Did Mr. Bridle ever attend at Lymington whilst you were there?—He attended every day, when he was at home.

What was his conduct to the sick prisoners there?—Enquiring how they all are; how they all did.

Had the prisoners there all that was necessary for them, or was there a deficiency?—They had every thing that the doctor or physician ordered.

What was Mr. Bridle's conduct to the prisoners in the gaol whilst you were here?—When he saw them out in the morning he asked them how they did, and how they got on in their business, and such like; and would sometimes ask if they had any complaint, and they answered, no.

Did the shop regularly come round whilst you were here?—Yes.

Did Mr. Bridle ever attend when the shop was coming round?—Yes.

Did he make any observation to the shop people or the prisoners upon those occasions?—He would ask the prisoners if they liked the things, if not, the shop people should not come there any more.

Did he inspect the articles they brought for sale?—Yes, Mr. Bridle would take it up and look at it to see whether it was good or not.

Did you ever hear any of the prisoners complain of Mr. Bridle whilst you were here?—They said he was a very good gentleman to them.

Were the sick prisoners attended to or neglected?—The sick prisoners were well attended to, and had every thing the doctor ordered.

Did you ever know Mr. Bridle ill use a prisoner whilst you were here?—I never heard him give a prisoner an ill word.

Did you ever hear any of the prisoners complain of him?—No.

Did you attend your duty at chapel on Sunday?—Yes, all the time that I was down here.

When you attended chapel, were you in a situation that you could see Mr. Bridle's pew?—No; but I heard the prisoners say that could see, that Mr. Bridle was at chapel.

How often was the linen of the prisoners changed while you were here?—They had it every Sunday morning.

How often were the stockings changed?—We had the stockings when we had the linen.

Did Mr. Bridle ever come into your ward?—Yes.

How often?—Sometimes once a day; and sometimes twice a day, and would ask us how we did, and how we were altogether, and whether we had any thing to say.

Was he kind and attentive to you, or regardless of your wants?—Yes, very kind and attentive; and any thing we wanted, to let us have it.

Did you ever see him drunk?—No, I never saw him drunk; any thing in respect of that, I am sure.

Did you ever hear him swear?—I never heard him swear in my life.

Did you ever hear any prisoners complain of him?—No.

Did you ever hear the water complained of?—No.

Cross-examined by Mr. Hunt.—You left this three years ago?—Yes.

At that time Mr. Bridle attended chapel every Sunday?—Yes, when at home.

He came to Lymington every day when at home?—Yes.

How did you know whether he was at home or not?—By his coming up there.

John

John Courtney called in; and Sworn.

J. Courtney.
(21 June.)

Where do you live?—At Wyke, in Dorsetshire, near Shaftesbury.
Were you ever in this prison?—Yes.
What for?—Debt.
How long were you here?—Almost three years.
When were you discharged?—14th May 1817.

Examined by Mr. White.—What was Mr. Bridle's conduct while you were here?—He behaved very well to me all the time I was here.

How did he treat the other prisoners?—He treated them the same as he did me; they that were with me in the same ward.

Did you ever hear any complaint of him whilst you were here?—No; no complaint at all.

Did he ever visit your ward?—Yes.
How often?—Every day almost.
In what state were your wards kept at that time?—Very clean indeed.
Did you receive any share of any donation whilst you were here, any gift?—Yes.
What was it?—Some money that a gentleman gave, 3 *s.* 2 *d.* a piece.
Do you remember when that was?—Not what year it was in.
Do you recollect the time of the year?—No.
Was any thing else given about the same time?—Some coal given.
Do you recollect the quantity of coal?—No.

How long was it before you left the gaol that this gift was distributed?—I don't exactly know; but about half a year, I suppose.

Do you know what was the amount of the gift?—Ten guineas, I believe.
Did you work in the gaol at all?—Yes.
At what?—Cutting stone.
What did you earn a week?—Six shillings.

Did any butchers, or gardeners, or persons of that description, come to the gaol in those days?—Yes.

Did you ever see Mr. Bridle with them, or any of them?—No, not when they were there.

Were there any weights or scales in the gaol at that time?—Yes.
Had the prisoners ever the use of them?—Yes, when they wanted them.
What business do you follow now?—Masoning.
Is that your only business?—Yes.
Where did you learn this business?—Here in this prison.

Did you know any thing of that business before you came here?—Yes; I went about two years before I came here.

Do you get your livelihood by that business now?—Yes.
Did you ever hear Mr. Bridle swear whilst you were here?—No.
Did you ever see him drunk whilst you were here?—No.
Did you go to chapel yourself whilst you were here?—Every Sunday.
Did you see Mr. Bridle there?—Yes.
Was he regular in his attendance or otherwise?—He was regular when he was at home.

Cross-examined by Mr. Hunt.—Having been two years a mason, when you came here you followed your trade?—Yes.

Did you teach any of the prisoners?—Yes.
And you left this place four years ago?—Yes.
And you don't know what has happened here since?—No.

But you are sure Mr. Bridle attended chapel every Sunday when he was at home?—Yes.

Charles Talbot called in; and Sworn.

C. Talbot.

Where do you live?—At Bath.
What is your business?—A carrier.
Were you ever in this gaol?—Yes, a time-man.
Were you tried for felony?—Yes.
How long were you here?—Twelve months.
When did you leave it?—Three years 13th last January.

Examined by Mr. White.—Were you here when the fever was here?—Yes.
Were you employed in any capacity at that time?—Yes.
In what capacity?—Giving the sick people their soup.
Were any of them removed from the gaol?—Yes.
To what place?—Lymington.
Did you accompany them?—No.
Did you attend the sick prisoners in this gaol?—Yes.
What was Mr. Bridle's conduct towards them?—Very good.

What treatment did they receive?—There was no one that ever I heard complain of the treatment that they received; no one at all from beginning to end.

Had they any articles of nourishment given them?—Yes.

C. Talbot.

(21 June.)

Of what kind?—They had soup, and grits, and oatmeal boiled all together, and skim-milk after it was taken out of the skim thrown into it.

Was there any want of articles of nourishment?—No; they always had sufficient.

Did you ever hear them complain of any thing?—No.

Who delivered out these articles?—I did; after Hodder went to Lymington.

Who dressed the victuals for them?—I did.

Who served out the gruel?—I did; what was served out here; soup, oatmeal, and grits and gruel were all dressed together, and I dressed them.

What do you mean by being all dressed together?—Oatmeal and grits were put into the soup.

Had they every thing necessary for them?—Yes.

What quantities did you deliver out?—A quart to a man.

How often did that happen?—Every other day.

Where was it delivered out to them?—To their wards; without it was when they were outside for air, and then it was carried out there to them.

Did any one else besides you serve them?—William Hodder served them before me; and when he was sent to Lymington to look after the sick there, I took his place.

Did Mr. Bridle ever come amongst you?—Yes.

For what purpose?—To see what was done, and how business was carried.

How often did he do this?—He came to me every day during the time, and sometimes twice or three times a-day, and sometimes he was all day nearly with us.

Was the gaol clean or dirty whilst you were here?—Clean; I never saw a cleaner place in my life.

Were the prisoners kept clean, or otherwise?—Yes; they were kept in clean clothing and bedding.

Their linen?—Yes.

Their stockings?—Yes.

How often were they changed?—Every week; clean shirts every Sunday morning, and stockings.

Did you ever hear any complaint of the want of either?—No; there was no occasion for it.

Did you ever hear Mr. Bridle or any of the officers of the gaol complained of?—No.

Did you ever see Mr. Bridle drunk?—No; and I don't believe any of us prisoners ever did; I never heard that he was.

Did you ever hear him swear?—No.

Did you go to chapel while you were here?—Yes; I never missed a Sunday in the course of twelve months.

Did you ever see Mr. Bridle there?—Yes.

How often?—He was there every Sunday, except he was at assizes or sessions.

Cross-examined by Mr. Hunt.—You say the prisoners had clean shirts every Sunday?—Yes.

No oftener?—Yes, if there was occasion for it.

How often?—I can't say justly; but if they had dirty work, if it was but two hours, they had a clean shirt.

Where did you make this soup?—In the yard behind.

What was it called?—Soup.

There was meat first put in?—Yes.

Then oatmeal?—Yes, and grits.

And then the skim-milk?—Mr. Bridle had the milk skimmed, and we threw the skim milk into it.

To cool it?—Yes; and to nourish the people likewise.

The sick people had a quart of it every other day?—Yes; when I gave it out.

And they had this in addition to their bread and pence?—Yes, in the afternoon; except it was when they were outside, and then it was taken to them in the morning.

You carried them a quart a-piece?—Yes.

What did you carry it in?—In a pan.

Do you mean a single pan to each prisoner?—No, we took it in a large pan; and each prisoner had a pan that held a quart; some took it to their wards, and some ate it there directly.

They that ate it directly had no more till the day after the next?—They had none the next day; there was no difference; every man had alike.

Well or ill?—Well or ill.

You said Mr. Bridle came among you every day; did you mean to the cook-house?—He came every day to see that every thing was done correct.

Did he come to the cook-house?—Yes.

And you say he sometimes staid all day with you?—No; he went backwards and forwards about his business.

Was it by his direction that you made the soup in this way?—It was ordered by the doctor and physician.

How

How it should be done?—Yes.

Did the sick prisoners have the meat with the broth?—Yes; it was taken out with a ladle. *C. Talbot.* (21 June.)

And you are quite sure that Mr. Bridle was at chapel every Sunday, except when he was at assizes or sessions?—Yes; unless he was out on the county business, or out with the convicts.

Are you sure none of the grits were strained off, and given to the fowls?—Yes; I am quite sure I can say to that.

And none of them were choaked with them?—No.

William Moores called in; and Sworn.

Where do you live?—At Yeovil. *W. Moores.*

Were you ever in this prison?—Yes.

What for?—For taking coals.

Were you a time-man?—Yes.

Were you tried at the sessions?—Yes.

For stealing what?—Coals.

What was your sentence?—Three months imprisonment.

When were you discharged?—10th April 1820.

Examined by Mr. White.—What trade are you?—A tailor.

Were you employed in your business whilst you were here?—Yes.

Was there a good supply of clothes while you were here?—Yes.

Were the men well clothed?—Yes, every man.

Was there plenty of clothing in the stores?—There were several suits.

Were any of their clothes torn?—Yes, sometimes; but they were always repaired when they came in to the tailor's.

Were the clothes ever dirty?—Yes; but they were carried to the wash-house to be washed; I have carried many suits at a time to be washed.

What was done with the prisoners gaol-clothes when they were discharged?—They were taken to the lodge, and from thence to the tailor's shop.

What then?—They that were dirty were taken to be washed; and they that were broken were mended.

Were any prisoners allowed to wear the clothes that had been worn by other prisoners, that were not in a fit state?—No.

How often was the linen of the prisoners changed while you were here?—Every Sunday morning every man received clean linen.

How often were their stockings changed?—There were clean stockings brought every Sunday morning; but some of the men would prefer keeping the ones they had, and not have any clean ones.

What did they do with them?—Wash them themselves; I have known many a man wash them.

Can you mention an instance of that?—Yes; I knew a man of the name of Marsh, who is in the prison now; and a man of the name of Ford: they both worked in the shop with me.

Did they give any reason for keeping their stockings?—The stockings they had were good ones; and they preferred keeping them rather than have an old pair that had been mended.

Did Mr. Bridle ever come amongst you?—Very often.

For what purpose?—He would come into the tailor's shop; I have seen him twice a week in the tailor's shop.

What did he do there?—To see that the clothes were got forward, a quantity of them, to go in the stores.

Did he use to come into your ward at all?—Yes.

For what purpose?—To see how the men were; and to see if there were any complaints to be made.

What was his conduct to the prisoners?—Very good, in every respect.

Did you ever hear him, or any of his officers, complained of by any of the prisoners?—No.

Did you go to chapel while you were here?—Yes; every Sabbath-day.

Did you ever see Mr. Bridle there?—Yes, very often.

Did you ever hear him swear?—Never in my life.

Did you ever see him drunk?—No.

Did you ever see him worse for liquor?—No.

Cross-examined by Mr. Hunt.—You say, when the prisoners went out they left their clothes in the lodge?—Yes.

You underwent the operation?—I did.

Where did you strip?—In the conversation-room.

Was there any thing to prevent people seeing you as they went by?—The door was always made fast, that ever I saw.

Are there are any doors to the lattice?—No one could see me when there was no one on the other side; no one could see us undressing.

W. Moores.
(21 June.)

Was there a prisoner of the name of Hawkins?—I don't know.

You and Mr. Bridle agreed very well?—Yes; I had no other reason.

Ford and he did not agree so well, I believe?—They did while I was here; I have heard Ford speak highly in the praise of Mr. Bridle's conduct.

And you never heard him or his officers complained of by any of the prisoners?—I did not.

He went to chapel frequently while you were here?—Yes; it was seldom he was absent.

You left in April 1820?—Yes.

You can't tell how many times he went to chapel between May following, and Christmas?—How can I tell, when I was not here.

Every one that liked it had clean stockings?—Yes.

And if they did not like, they went without?—Yes; I have seen a man have two pairs; I never knew a man without stockings.

That is, one pair off and one pair on?—Yes.

Did you ever know any of them without feet to their stockings?—No, I did not.

Who brought the shirts and stockings round?—Mr. Davis and a man named Hallett; they brought them round every Sunday morning about eight o'clock.

First come first served, I suppose?—What, the shirts? No, it was not the case; every man was called regularly over, and the number of the shirts; every man's shirt was numbered, and when the man was called, the shirt with his number was given to him.

How often was fresh straw put into your beds?—Once in every six weeks, I believe, was the regular rule.

How often were your blankets changed and washed?—When they were dirty.

How often was that?—I have helped to carry them backwards once a month.

Who came round to see whether they were dirty or not, and gave orders for their being wahsed?—Mr. Pike and Mr. Hobbs.

That was considered their business?—Yes.

And not Mr. Bridle's?—No, it was not.

It was not expected that he should look after your beds, or your linen, or things of that sort?—No, it was not.

Re-examined by Mr. White.—Will you describe more fully how the numbers were called, when the linen was delivered?—The man that brought shirts had every man's number down, and he called Moors, William, Forty, or whatever it might be; and he called every other prisoner the same.

Did every prisoner know his number?—Yes.

On what occasion did Fords speak highly of Mr. Bridle?—He said he had always behaved well to him, and he never knew that he had behaved amiss to any man before I came into the prison.

William Hodder called in; and Sworn.

W. Hodder.

Where do you live?—At Yeovil.

What business are you?—A leather parer.

Were you ever a prisoner here?—Yes; two years after trial, and one month before trial.

What were you tried for?—Assault and rioting.

When were you discharged?—Two years ago, 13th January last.

Examined by Mr. White.—Were you employed in any capacity while you were in the gaol?—I was employed at first to wash the prisoners in bay salt and warm water; and their clothes were all taken from them, and fresh clothes given them. Then I was employed to boil up soup for the prisoners the same day; we washed them in the morning, and gave them soup in the middle of the day, as soon as we could get it ready. It was some time in March that I began washing them, and boiling up the meat for them, and continued it till the end of May. Then I was moved to Lymington to look after the sick prisoners; I boiled up soup there, and made any thing they wanted, according to the doctors orders. After that I emptied the beds twice a week, and the straw was burned; and every day, when it was fine weather, we brought down the beds and bedding, and spread them on the grass; and the rooms were washed and fumigated with bay salt and vitriol, which we burned when there was occasion, and sometimes we fumigated with vinegar.

Did you make the soup?—I made it at home; but Mrs. Smart made it at Lymington.

How long after you came into the gaol were you sent to Lymington?—I was sent there on the 23d May.

What was the soup made of?—Sometimes leg of mutton, and sometimes beef, and sometimes veal, oatmeal; and sometimes Mr. Bridle would send us up a jug of milk.

What quantity of meat per day?—I can't tell the weight.

Did you deliver it out to them?—They all came to the table for it; we dined together.

Had they always plenty of it?—Always great plenty; I never heard any complaint among the prisoners while I was there.

Did Mr. Bridle ever attend there?—Yes, most evenings; three or four times a week, unless he was at the assizes or sessions.

What did he do when he came up?—He asked us how we did, and whether we wanted any thing.

Did

W. Hodder.
(21 June.)

Did you hear any complaints there?—No, never any.

In the gaol what was Mr. Bridle's conduct?—Very good, I always considered it; he was a man that was always very sharp when he spoke, when the men did go a-thieving, or the like of that; but when Mr. Bridle came into the yard and nothing was the matter, Mr. Bridle was very mild and very good tempered.

Had the men in your ward nourishment when they were sick?—They were moved back as soon as they were sick.

Did you attend them when they were removed?—Yes.

Were they supplied with nourishment?—Yes; I did take it to them most days when it was ordered. It was a constant order of Mr. Bridle's, that whatever they wanted they were to have.

What did you take the nourishment in?—Basons and cups; but mostly blue and white basons.

Did you ever hear any of them complain of not having enough?—No; I never did.

Did you ever hear any of the prisoners in your ward, or any where in the gaol, complain of Mr. Bridle's conduct?—No; I always heard them praise him in the highest manner, unless it was a man that had been catching bread or potatoes from the other prisoners.

What had the sick prisoners at Lymington, and in the gaol, for breakfast?—Tea or coffee, which they liked.

What for dinner?—Meat allowed by the county, and potatoes they bought themselves, and cabbages Mr. Bridle gave us leave to cut in his garden at Lymington, that belonged to the house.

What did they have in the evening?—Tea or coffee, or gruel, as they liked.

How often was the straw of the beds changed?—Twice a week, and burned at Lymington.

Was Mr. Bridle's conduct kind and attentive to the prisoners on all occasions?—I never heard but it was, nor ever saw to the contrary.

Was wine ever provided for the sick?—George Bridle had the care of that; wine was there, and used, but I was not trusted with that.

How often was the linen of the sick changed?—Once a day, and sometimes two or three times a day for the very sick; but the general rule was to change it twice a week, shirts and stockings.

How often was the linen changed for the prisoners in the gaol?—Twice a week before we went to Lymington, because the fever was in the gaol.

After the fever was gone, what was the practice then?—To change every Sunday morning shirts and stockings.

Was that the practice during the whole time you were here?—Yes; from the time I came from Lymington until I left.

Did you ever hear Mr. Bridle swear, or see him drunk?—Oh, no! quite the reverse of that; I never saw him drunk, or heard that he was drunk.

What was done with the straw when the beds were emptied?—Taken outside to the dung mixen.

Was any of it carried any where else?—No; I had a rake and raked out the long straw, and took it to Mr. Bridle's stable.

Was there a great quantity of it?—Yes; sometimes there was so much I had no where to put it; I was obliged to leave it outside, and put ashes upon it to keep it from blowing about.

Were you frequently in the stable?—Yes; most days when I was at the lodge with Mr. Treganza; I was there fourteen or fifteen months; I was there most days. I had to keep the stable clean.

Was the straw from the beds sufficient for Mr. Bridle's use, or had he other?—He never had any other while I was there, because he had plenty of that.

Who was Mr. Bridle's servant at that time?—At first a young man, two or three weeks, and afterwards Samuel Hobbs. The young man was called William.

Had Samuel Hobbs quitted Mr. Bridle's service when you were discharged?—No; I think I left him in Mr. Bridle's service, but I am not sure.

How long had he been in Mr. Bridle's service when you went away?—I think most of my time; he came soon after I came from Lymington; but I am not certain to two or three weeks; I made no remark of the time.

There was always sufficient straw for Mr. Bridle's purpose during your time?—Yes; sometimes we did not know what to do with it.

Cross-examined by Mr. Hunt.—How do you make the soup?—Of meat, and thickened it with oatmeal.

Any thing else?—I don't know that I put any thing else myself; skim milk; Mrs. Bridle gave us the milk; she kept a cow.

W. Hodder.

(21 June.)

Did you understand that she gave it to you, or that it was charged to the county?—I don't know how that was; I thought she gave it us.

You called the garden at Lymington Mr. Bridle's?—I don't know whether it was Mr. Bridle's garden or not; I cut the cabbage there for use.

It was the garden belonging to the house that the county rented?—It belonged to the house; I don't know who rented it; we had orders to cut the cabbage.

Was this oatmeal that you thickened the broth with ground oatmeal or grits?—Ground oatmeal at first; just before we went to Lymington the ground oatmeal was done, and then we used grits.

You said when nothing was the matter Mr. Bridle was very mild?—Yes.

And when there was any thing amiss?—He was a very keen sharp man; when the men had been thieving, or any thing of that took place.

Did it always end so? were none of them ever punished?—Yes, when they were catched, some of them were punished certainly.

Did you ever carry any food to the men in solitary confinement?—Yes; but there was none in solitary confinement, only up stairs; they were kept in their cells two or three days, when they were catched in the act of thieving.

Do you remember Hawking the tailor being locked up?—Yes; he was locked up from Saturday till Sunday afternoon.

Had he been thieving?—No, it was smoking tobacco in the factory; it was Mr. Bridle's order that none should smoke in the factory for fear of setting any thing on fire; they might smoke in the wards.

Do you remember carrying food to a prisoner that was sulky and would not eat it?—I think I do. That man was caught thieving; I caught him myself; and he would not work; he told Mr. Hobbs that he'd be damned if he'd work.

Why would he not work?—Because he was found thieving, and Mr. Bridle stopped his pay until such time the magistrates attended.

When he refused to work he was put in solitary confinement?—Yes; he was put in solitary confinement till he would go to work; he might if he had liked; he had his own mind for it.

What was his name?—I think it was Brimsley, or something like it. However he was not out long before he was in a second time, and caught for horse stealing; sheep stealing the first time; he was here twice in my time; he was a man of very bad character, and a very wicked man; he was a very wicked abusive person among the men I assure you.

Was he sulky, and refused to eat?—I believe he did.

Do you know how long he staid in this state?—No, I don't recollect; he had no occasion to have gone there if he had.

Did he stay so long that you began to be alarmed for fear of his dying?—Yes; and when Mr. Bridle heard of it, he had him up and forgave him directly.

Did you go to Treganza and tell him your fears?—I went and told Mr. Treganza he had not eat more than a loaf whilst he had been there; and I thought he was sulky. I can explain why he might have lived there till now, and not want; because that back ward came against the female ward, and I was told that by knocking the chimney, they drew a brick or stone, and the women would put through bread, cut in pieces, to the men. I knew the hole was there; I never told Mr. Bridle of it.

You did not know the hole was there while the man was there?—No.

And Mr. Bridle did not know it?—I suppose not, or he would have had it stopped quick enough.

Did you not go to Treganza and tell him that you were afraid the man would be starved, as he had not ate his bread?—Yes.

Did Treganza then go to Mr. Bridle?—I don't know; but the man was had up directly before Mr. Bridle and forgave.

Did you never tell any body that Mr. Bridle, when he was told of this, said, "let him stay, his stomach will come bye and bye"?—No, I never heard such words to the best of my knowledge.

Had not the man been there a fortnight?—No, nor half of it; I may have said two or three days; but the order was, that he should stay till he would go to work.

Did any magistrate see him after he was locked up, and before he was discharged?—He might, or might not; I don't know; I never saw any.

Did Mr. Bridle see him while you were there?—No; but he might have gone without my seeing him.

You say you never saw or heard but that Mr. Bridle's conduct was very kind to the prisoners?—I never knew but it was, and I was here two years. I was never punished, nor ever threatened, and a great many others like me.

You say that when the beds were emptied, you put the long straw into the stable?—Yes.

How many stalls are in the stable?—Two.

Do

Do you remember Mr. Webber, Mr. Bridle's father-in-law?—Yes. *W. Hodder.*

Do you remember where you put visitors horses?—When they did come, and there was not room in the stable, we put them into the coach-house, by the side of the caravan. (21 June.)

Did not Mr. Webber have a horse here for a fortnight at a time?—I don't recollect any such thing; Mr. Webber came here but once, and then he had no horse with him.

Was Sarah Lawrence, a female prisoner, servant in the house?—I believe she was here the fore part of my time.

Do you know why she left the house?—No; I heard she had a child.

Who came into the house after her?—I don't recollect.

You don't recollect Sarah Hewitt?—Yes I do; she was in the house when I left.

You left two years ago last January?—Yes.

Re-examined by Mr. White.—Brinsley had the usual allowance of bread taken to him?—Yes; it made no difference as to that.

Examined by the Commissioners.—Was the bread left him?—Yes, he brought it up with him, and ate it afterwards; I carried him milk every morning.

Did you leave that with him?—Yes.

Did he drink it?—Yes.

James Moores called in; and Sworn.

Where do you live?—At Frome. *J. Moores.*

What is your business?—A weaver.

Were you ever a prisoner in this gaol?—Yes.

How long were you here?—Twelve months.

When were you discharged?—27th March 1820.

What were you put into gaol for?—Privately stealing; I was tried at Taunton sessions.

Examined by Mr. White.—Did you work at your trade in the gaol?—Yes.

Did you teach others while you were here?—Yes.

How many did you teach?—Two men and a boy.

Had they known the business before?—No; nor never saw it.

Could they work well at it?—Yes; and could earn their livelihood in any place.

Was much cloth made in the factory?—Yes, a good deal.

Who had the care of the looms?—I had the charge, by desire of Mr. Bridle.

Did Mr. Bridle ever come into the factory?—Very often. He would say, "Moores, how do you go on?" and he would order me what things I should want. I also made the table-cloths for the assize hall at Bridgewater.

Did he stay long together?—Sometimes he would stay a quarter of an hour together in my shop.

Did he encourage the workmen and boys to do their duty?—He did encourage us well; and he gave us a pint of beer often to do the work well.

Was his treatment to the prisoners kind and humane, or harsh?—Very kind; and he did speak to us like a father.

Did you ever hear any prisoner complain of him?—Never in my life.

Did you ever hear any prisoner speak in praise of him?—Yes; I have heard prisoners say this, that had been in other gaols, that it was like liberty to other gaols.

Were you properly supplied with butcher's meat and other things that were brought for sale?—Yes; twice a week they brought in.

Did you ever hear any complaints on that subject?—Not at all, during my time; it was very good that ever I saw.

Might you have had the use of weights and scales?—Yes; county scales were brought down from the lodge, if we had liked to weigh them.

Did you ever hear Mr. Bridle swear, or see him drunk?—I never saw him drink any thing; I never heard him swear.

Did you ever see him drunk?—No.

Did you ever see him at all affected by liquor?—No, not at all; never in my life.

Cross-examined by Mr. Hunt.—You have heard other prisoners, who have been in other gaols, say that this was like liberty compared to them?—Yes.

Perhaps you can give us other information besides hearsay?—No, I cannot.

You can't tell us the difference?—I have been in Shepton Mallet gaol; but I was used very well there.

Do you mean you were tried only once?—Yes, I have been tried twice; I shall speak nothing but truth.

J. Moores.
(21 June.)

You were in Shepton Mallet gaol before trial, and were you not in this gaol afterwards?—Yes, I was here before; but it was before Mr. Bridle's time.

Were you not at Bridgwater last July? What were you there for?—I was tried for two bad sixpences, and acquitted.

What was your sentence the first time you were in this gaol?—I was transported.

Did you serve your time?—Yes.

Where?—In Portsmouth harbour.

Do you remember being locked up while you were here?—Yes; Mr. Bridle was at Bridgwater assizes.

What were you locked up for?—For a word that a man said I said, some little revel on a Sunday.

Were you not locked up any other time?—No; Mr. Bridle released me the morning after he came home.

Do you remember any thing about Marsh's potatoes?—I was accused of stealing them; but nothing was done in it.

Were you sent for to come here?—I came from my own generosity.

You come all the way from Frome to give Mr. Bridle and the gaol a character?—Yes; for I would have come if it had been a hundred miles.

[Adjourned at 7 P. M. until 9 To-morrow morning.

FRIDAY, 22d JUNE 1821. The Commissioners assembled at the gaol at 9 A. M.

Sir *George Smith Gibbes*, and Mr. *William Henry Eastwick*, delivered in their several Reports upon oath.

Sir G. S. Gibbes, W. H. Eastwick.

Mr. Hunt, to Sir George Smith Gibbes.—THAT report that you have delivered in and sworn to is a great deal hearsay?—Yes; and I have so mentioned in it.

Did you learn that there was a Report made by some other medical gentlemen?—I have heard it.

You have had no opportunity of seeing any part of that Report?—I have not.

In the preliminary observations, you noticed a lodgement in the drains, which I did not observe that you afterwards remarked upon?—There are many things noticed in the preliminary observations which are referred to the surveyors, and are to be mentioned by them.

Then have you had no opportunity of inquiring into that fact, the same as you have the others?—We came to the conclusions that we looked for by other means; we asked for that information before we knew of any other mode of determining our part of the business.

I thought the commissioners directed your attention particularly to the situation of the drains, as well as the water in the wells?—The division which we made of the subject we thought comprehended all that the commissioners required of us; and they having given us a power of asking questions of the surveyors, we applied to them for the purpose, and I apprehend that they will give us the information required.

But did you make any inquiry of that sort of persons that had gone into the drains, whose names were given to you by the commissioners, to make the inqniry?—I did.

Did you ascertain from them that there was any lodgment?—I did.

To any considerable extent?—I think Gibbs mentioned, as well as the others, I believe, that there were heaps and accumulations in various parts of the drains, of filth.

Do you mean that he represented these accumulations as accumulations of human excrement?—I think he said that those collections were in parts exposed to the privies.

But this you did not think sufficient importance to record in your Report?—As I understand that the surveyor has himself been into the drains; and as I referred that part of the subject to the surveyors, I thought I should be intrenching on their province by mentioning what I had heard on that subject.

In your report you have spoken of gaseous matters; did you not conceive that this circumstance required your attention in a medical capacity?—If we found the gaseous matters, and any contaminations of the waters from such matters, I thought that the cause of such would come forth by those who were to examine the state of the drains; the existence of the gaseous matter was sufficient for my medical report.

Do you not understand that the existence of this gaseous matter had been removed by these very men some weeks back?—I by no means attribute the gaseous matter wholly to that cause. I did understand that the drains were cleared some time back.

Did you understand from these men or not, that the accumulation of the filth was as high in some places as the men's waists?—I did not understand that it was the matter alone that rose thus high; I infer from what I heard, that other settlements, as from the river when flooded, tended to choke up the sewers, particularly in parts nearer the river.

I thought you said in parts below the privies there was the collection of the peculiar soil?—But I did not understand that they were so deep in that peculiar soil.

But

Sir G. S. Gibbes.
(22 June.)

But you understood that there were considerable accumulations in the drains, which had been removed some weeks back?—I did.

And you have left it to the surveyors to report upon the effect that that might have upon the health of the prisoners?—I by no means see that conclusion.

Then as you have not reported upon that subject, give me leave to ask you, what is your opinion of the effect that such accumulations would have upon the health of the prisoners, supposing the human excrement to accumulate from one half-year to the other, in many parts to the amount of two feet deep, never having been removed more than twice a year?—I have already reasoned upon the conviction, that there are produced within the prison certain gaseous effluvia, which I apprehend would be the result of the decomposition of these matters, and therefore I have considered them as acting upon the several parts of the prison; I cannot well determine in my own mind what would be the result of such an accumulation of night soil under a building, but by conceiving that there are many houses situated in large cities, through the sinks of which proceed much stronger exhalation than those which we have in our present investigation, or from the reports which we have heard, from which we would make a comparison, and I can only judge of it by comparison.

Can you point out any effect that it has produced upon the inhabitants of those houses in large cities where such unpleasant circumstances have arisen?—I have never traced any disorders to that source alone.

Then do you mean to say that you do not attribute it as injurious to the health of such inhabitants breathing such an atmosphere?—By no means.

Then do you consider it injurious?—I should consider it unwholesome, and have so considered it in this report.

But I thought you and Mr. Eastwick had tried some ingenious chemical experiments, and had ascertained the absence of this gaseous matter, at this peculiar period?—Mr. Eastwick perceived it from one of the pumps, and from the water of the newly sunk well.

But I thought your experiments, hanging up certain papers to ascertain whether the air was affected in certain parts of the prison?—We did not detect it by those means.

But you cannot undertake to say what the results of your experiments would have been, had you made them previous to the emptying these drains?—We have been led to believe that at other times we said we have had stronger indications of the presence of these effluvia.

You have in your reports stated, I think, that it was possible that the wells might be affected by the drains and other sources of impurity. Did you not ascertain the fact, that it was really and bonâ fide so?—I think that the conclusions from the report, which I have delivered here, are so in several of the wells, leaving the factory well certainly out.

Was your attention particularly called to the contiguity of any of the wells with the drains?—It was, and I have reported accordingly.

During the progress of your inquiry, were you informed by any of the workmen that there was a direct communication between the drains and any of the wells, particularly the well in the second refractory ward?—I believe I have mentioned that circumstance in my report.

But so slightly that I wish to draw your attention to it?—I mentioned it slightly because a new well had been dug.

Did you ascertain that there had been any means taken to stop up the oozing from the drain in that particular part?—I have directed the attention of the surveyors particularly to that point.

But I wish you would be kind enough to state whether you ascertained that any means had been taken previous to your investigation to remedy the defect that had been proved to exist?—From what I have heard I believe there has not.

Did you ascertain how near the old well was placed to the drain and a privy?—I have mentioned in my report, I believe, that the mere walls separated them.

And was the wall of the well a loose wall, without mortar or cement?—I have directed the attention of the surveyors to that point generally throughout the sewers.

Do you know whether the wall of the new well is a dry wall or a cemented one?—I believe the wells throughout the prison as well as elsewhere are not cemented.

Can you say what distance the new well is from the old well and the sewers?—I refer to the plan.

Was there any thing to prevent, in case of a flood, the oozing from the same aperture of the drain from finding its way through the loose gravel into the new well?—That question is answered generally throughout the whole prison, and is, I believe, included in my report.

You alluded, in the early part of your report, to the washing of the pavement, to decide upon the good or ill effects of which you have left, I think, to the surveyors?—I referred to the washing of the pavements as to another source of impurity and contamination. Having admitted such impurities, it does not appear to me that I have left to the surveyors to determine the effects of them.

It appeared to me that your report merely alluded to the injurious effect it might have in contaminating the water of the wells; might not repeated washing, in the state you found the pavements, have an injurious effect upon the health of the prisoners?—I referred to the circumstance of the washing of the pavements, in order that I might determine whether the under works of the whole prison were not in some communication, and the result of the whole is included in the general view of the health of the prisoners.

Sir G. S. Gibbes.
(22 June.)

Did you find the pavements in the factory yard so constructed, as to carry off the loose gravel that all the water would escape through the crevices of the stones?—In the transient view that I took, I was convinced that the waistings would pass through the pavements.

Were not the mouths of the drains in the factory yard higher generally than the rest of the pavement?—They appeared so to me.

You have stated, Sir George, the size of the chapel twenty-two feet by twenty-five feet six inches; is that sufficiently roomy to contain a population of three hundred persons?—I have mentioned that there are sittings for one hundred and thirty-five people.

Then, if within the walls of this gaol there is frequently a population of three hundred persons, there is not room for half of them to sit in the chapel properly?—Certainly not, that is most clear.

What must be the state of the atmosphere in that chapel in summer time, supposing three hundred persons to be crowded into it, though I believe there are five windows, still I think it must be very oppressive?—The medical effect would be, I should think, fainting; but I have no mode of ascertaining.

Supposing that a considerable portion of those persons wearing worsted stockings, had not changed or washed them for many months, what do you think would be the effect upon the state of the atmosphere?—Such a circumstance must increase the foulness of the air; but I am not prepared to say when I consider the very crowded state of some rooms, what would be the precise medical effect, except fainting, upon people so inclosed.

You have, I think, spoken lightly upon the want of an hospital, and that, I think, you account for by ground having been purchased to build a new one?—As I am a stranger in this part of the country, and as other medical gentlemen must be more acquainted with the local circumstance, in regard to health, I have, as far as possible, directed my attention to the general question; and as I have had but little time, for even the examination I have now made, I have omitted to dwell long upon points which they can better answer.

Did you find any person or persons ill in the gaol now?—Yes.

Was either of those persons in a condemned cell?—Certainly.

Did you find any other place appropriated as a hospital in this gaol now, but the condemned cells?—No.

I think you have gone on, in your report, to include a report of the burials in Ilchester; did you include, in that, the deaths that occured in the gaol?—I have merely given a copy of the register of the burials in Ilchester, from 1813 to 1821.

But have you added the deaths in the gaol to that?—No, they are separate.

You have stated the burials in Ilchester up to June 1821; but the account of deaths in the gaol include only the year 1820; why did not the account of deaths include those who have died in the gaol in the present year?—I have stated all the information I procured upon the subject; I had no particular views one way or the other.

This is headed "Health of the Prisoners in Ilchester Gaol;" then it says, "deaths "in the gaol for the last thirteen years, twenty-six persons; then there are three "years—1818 four hundred and eight prisoners; deaths, five.—1819, five hundred "and nineteen prisoners; deaths, one.—1820, Four hundred and seventy-"eight prisoners; deaths, one."

And the person who gave you this information said nothing about what had happened in this year?—I think not; I thought it proper to leave it to him to speak respecting the diseases or health of the gaol; and I merely included the information I could obtain respecting the deaths, because I had mentioned the account of the burials in the town of Ilchester.

Did it come to your knowledge, in any way, that during the first five months of 1821, there were four deaths in this gaol; viz. two executions, and two natural deaths?—I have heard of the executions; but I do not recollect that the subject of any peculiar illness in the gaol, within the time alluded to, was ever brought before me.

Then if four deaths have occurred in the gaol, and within the last six months, and not noticed in that report; is not that report calculated to mislead those who might read it, and who have no other means of ascertaining the fact?—No suspicion of that kind ever came into my mind; but I thought that all the information on that subject could be better given by those medical men more conversant with the prison.

The first part of the report states that the report is carried up to June 3d, 1821; the report of the deaths in the gaol is only carried up to 1820 inclusive; the two last years 1819 and 1820, there are only two deaths in the prison, one each year; if there have been four deaths in the gaol within the last six months, and those deaths are not enumerated in this report, is it not calculated to mislead those who have no other means of judging but by this report?—Certainly, unless the information to which I have before referred, be obtained.

In part of your evidence you have stated that you had but little time to make the examination, upon which is formed your report; from what cause does the contraction of the time allotted to you arise?—I mentioned those circumstances of hurry, as an excuse for my not entering more largely into the subject, and for any incorrectness which may be observable in the report; I am not prepared to say what length of time might be necessary for a full investigation of the subject submitted to me; but to make it completely correct, and extended, it would require a much longer time than could be, under these circumstances, possibly allowed.

Have you and Mr. Eastwick taken as much time as you thought sufficient to prepare such a report as you conceived would answer the purpose of the commissioners, and submitted

mitted to you in the instructions which you received previous to the commencement of your inquiry?—I conceive that when the reports of all the people possessing local information comes to be joined with the report I have now given in, that the whole, taken together, will answer the purpose for which our enquiry was instituted. *Sir G. S. Gibbes.* (22 June.)

Did you examine the single sleeping cells, with reference to the ventilation of them, and if you did, do you consider them sufficiently ventilated for the use of two persons?—The cells are placed under such very different aspects, that it would require different reports upon; and as I am not aware of the degree of wholesomeness that is required in the prison, I cannot well advert to their adaptation in the present instance.

What is your opinion of the effect of the water in the prison generally, either as to its production of gravelly complaints, or of its increasing such complaints where they have previously existed?—I believe it to be a vulgar error that hard water produces calcareous complaints, as the calculus found in the human bladder, has no particular reference in composition to the matters contained in waters, except such a derangement of the stomach and system should be brought on as involves that peculiar disease; and I know of no ingredient in these waters, even if they are contaminated, that would particularly apply.

Did you form any opinion, whether the proximity of the river to the gaol, would produce any effects that would produce ill health in the prison?—I am informed, that the river from the bridge down the first mile, has a fall of six feet, which I apprehend forms a sufficient current to prevent a stagnate water.

Should you consider, that taking the general situation of the gaol, you consider it as healthy?—I think that question would be better answered by the physician generally attending the patients in the country, from him I learn that it is generally free from epidemics.

Do you think that the smaller wards behind the gaol, are sufficiently inclosed to render them damp and unwholesome?—The word wholesome, is a very indefinite term; the felons and the convicts wards appear to me remarkably well adapted to their purposes, and the salubrity of every circumstance connected with them, appears to me to be unquestionable; but I am not prepared to say, that because other parts are less well arranged, that they must be positively bad, or improper for the purposes to which they are applied; I certainly think there might be an improvement of them.

Can you tell the average number of deaths in a fairly healthy situation, of a population taking ten years and upwards?—I have no idea, but the circumstance of the deaths in the gaol in thirteen years, twenty-six in number, appeared to me as not a small proportion, for when we consider the proportion of people that die before the age of ten or twelve years, and what must be the age, strength and hardihood of the people that are usually brought to a prison, a much smaller proportion of deaths one would imagine would arise there.

Can you tell me what is the average of deaths, taking all ages in, in a fairly healthy situation?—I really cannot say.

Commissioners to Mr. Eastwick.—Is there any think that you would wish to add to what has been stated by Sir George Gibbes?—Sir George Gibbes has described every circumstance respecting the quality of the water, and the wells and drainage of the prison, as I conceive correctly; I do not know that I have any thing to communicate. *Mr. W. H. Eastwick.*

Examined by Mr. Hunt.—You have attended to the practical analysis of these waters?—Yes.

You are quite sure you have analyzed the water from the different wells?—I am quite sure, we have tasted them all.

You saw the water taken from the several wells?—No, I did not; it was procured by Mr. Bunter.

Robert Bunter called in; and Sworn.

Have you been employed by Sir George Gibbes and Mr. Eastwick, to furnish them with any water from the wells of this prison?—I have. *Robert Bunter.*

What directions did you receive from them?—Mr. Bourne came to me, and desired me to let them have water from each of the wells; I went to the factory yard, the time yard, the upper debtors yard, the infirmary or misdemeanor yard, the lower debtors yard, and went to each pump and provided water, which I put into five pitchers, which were each labelled as the water was taken from the wells.

Did the labels on each of those pitchers, accurately mention from which well the water was drawn?—Yes.

To whom did you deliver the pitchers of water?—To Mr. Bourne.

Was not a person named Wyatt with you?—He went part of the way with us.

John Bourne called in; and Sworn.

Have you been employed by Sir George Gibbes and Mr. Eastwick, to procure water from the wells in this gaol?—Yes. *John Bourne.*

Did you accompany Mr. Bunter to the pumps for it?—Yes.

Was the water put into pitchers and labelled?—Yes; I labelled them myself.

What did you do with the water that you so drew and labelled?—I took it to the Castle Inn.

To whom did you deliver it?—To Sir George Gibbes and Mr. Eastwick.

Mr. Eastwick Examined.—Was that the water you analyzed?—Yes.

J. Bourne.

John Bourne again Examined.—Are you summoned to appear here by Mr. Bridle?—Yes.

(22 June.)

Examined by the Commissioners.—How came you to be employed by Sir George Gibbes on this occasion?—Sir George Gibbes knowing me, asked me to assist him.

Had you communicated to Sir George Gibbes, or any of his family, that you were summoned to be examined here as a witness on the part of Mr. Bridle?—No.

Are you the mayor's officer at Bath?—Yes.

Is Sir George Gibbes one of the corporation at Bath?—Yes.

Examined by Mr. Hunt.—When Sir George Gibbes saw you in Ilchester, he knew you to be a mayor's officer of Bath, and he never asked you what brought you to Ilchester?—Yes, he did, he said what brought you here, and I said I had a summons from the Commissioners.

When Sir George Gibbes employed you to get this water, he knew you were summoned here by the Commissioners?—He did.

How many pitchers were there?—Five.

You did not carry them all?—No.

Who carried four of them?—I don't know the men's names, they were men from the gaol; Mr. Bunter was one that went with me.

You don't know the names of the other men?—No.

Was Wyatt one of them?—No, he went round part of the gaol with us, but he did nothing.

Was there any persons went with you except the persons connected with the gaol?—I believe not.

Were the five pitchers carried at different times or together?—They were carried together, two men carried two each, and I carried one.

Examined by the Commissioners.—In carrying the pitchers from hence to the inn, can you swear that nothing was done to the water, and that nothing was put into it?—Certainly, for I made both men go before me.

Can you also swear that nothing was done to the water of either of the pitchers, and that nothing was put into it between the time that it was taken from the well and its leaving the prison?—Yes.

Mr. Eastwick examined by Mr. Hunt.—Where was the water placed at the inn?—In the room under my observation, and I never left the room from the time it was brought in until we had concluded our experiments.

How long were those experiments about?—Perhaps three or four hours.

Then all you knew is, that you analyzed the water that Bourne brought to you?—Yes.

[Adjourned at 20 minutes before two until 20 minutes before 3 P.M.

The Commissioners re-assembled at that time.

Edward Brookes called in; and Sworn.

E. Brookes.

Where do you live?—At Wells.

Were you ever employed in this prison?—Yes.

As what?—Turnkey.

How long were you in that situation?—Three years and a half all but six days.

When did you leave?—I came in May 1813, and left in November 1816.

Examined by Mr. White.—From your official situations in this gaol, were you well acquainted with the transactions of it?—Yes.

What was the conduct of Mr. Bridle towards the prisoners at that time?—Always very good, as ever I saw.

Did you ever know him treat them harshly or severely?—No, never.

Was he in the habit of swearing or getting drunk?—Never that ever I saw.

Did he pay attention to the sick of the prison?—Very great.

Was every kind of nourishment afforded them?—Yes, it was.

Did he ever go round the prison and examine into the wards and cells?—Yes.

How often did he do that?—Very often two or three times a week.

How often did the prisoners change their linen?—The men every week, on Sunday.

How often their stockings?—Every thing clean generally once a week.

Did you ever carry any thing from Mr. Bridle's table without waiting for the orders of the doctor?—Many times.

What state was the gaol and the prisoners as to cleanliness, during the time you were here?—Very good indeed.

Did you ever hear any of the prisoners complain of Mr. Bridle's conduct towards them?—No, I never did.

Did Mr. Bridle or not encourage persons who brought provisions to the gaol?—Always encouraged that.

Was there a sufficient quantity of straw from the beds for Mr. Bridle's use, whilst you were here?—Yes, there was.

Was you here when Hilliard made his escape?—Yes.

On what day of the week was it?—I can't say.

Cross-

Cross-examined by Mr. Hunt.—What made you leave the office of turnkey?—On account of a rupture. *E. Brookes.* (22 June.)

You did not like late hours?—I was the same out as I was in in point of hours.

You complained a little about sitting up late at the lodge?—No, I never had reason to complain of late hours.

Then you never sat up late to let Mr. Bridle in, or to let his company out?—No, not to improper hours.

What was your usual hours of going to bed when you had nothing to prevent you?—Ten or eleven o'clock.

Do you mean that you did not use to sit up later than that?—Very seldom; Mr. Bridle was sometimes out with convicts, and so on.

Then he was never out late at night without it was when he was out with transports, and so on?—No, unless on his own business.

How long were you at the lodge?—Three years and a half.

During that time the doors were never kept open till three or four in the morning?—Oh! no, never by no means.

Were they ever kept open till two o'clock in the morning to let company out?—No, never while I was here.

Then Mr. Bridle kept at that time very early and regular hours?—Yes, always.

And used to rise early in the morning?—Yes, very fair, as any person could.

And you never heard him rap out an oath during the whole time that you were in the gaol?—Indeed, I did not.

And you never heard a prisoner complain of any ill treatment he received?—No.

And never heard of any?—No.

Do you know a man named Burge, of Wells, a taylor?—Very well.

And you never heard him complain of any treatment that he received?—No, I never did. He was not here while I was here.

How often did you change the straw in the beds?—About once a month, always when it was wanted.

Mr. Bridle fined you on account of Hilliard escape?—Yes; if I had been at the gate he would not have escaped. The other two turnkeys went away from me in the convicts yard, in a great hurry, to lock up the time men, and instead of locking them all up, they locked one out.

You were fined two guineas for not doing your duty?—Yes.

How long have you left the gaol?—Handy five years.

You know nothing of what has taken place here since?—No.

Re-examined by Mr. White.—How came you to pay any thing on the occasion of Hilliard escape?—I believe because I did not miss the man the next morning; but the task-master was more to blame than I was; he ought to have counted them out when they went to work.

Who ordered you to pay the two guineas?—I believe the magistrates.

You spoke of Burge, you are a near neighbour of his?—Yes.

How far does he live from you?—Three or four hundred yards.

Do you speak to him occasionally?—No, very seldom.

And you never heard him complain of Mr. Bridle's conduct since he has been out of custody?—No, I never had any talk with him about it.

Examined by the Commissioners.—Were you in the habit of going to chapel while you were here?—Yes, until latterly.

How long were you in the habit of attending chapel regular?—Near three years.

During that time was Mr. Bridle regular in his attendance at chapel?—Yes, if he was at home.

John Lee called in; and Sworn.

Where do you live?—At Glastonbury. *J. Lee.*

Have you ever been in this prison as a debtor?—Yes.

How long were you here?—Six years.

When were you discharged?—Ninth December last.

Were you ever here besides that time?—No.

Examined by Mr. White.—During the time you were here, what state was the prison kept in?—Clean and decent.

What state were the prisoners kept in?—They were kept in very good order.

Were they kept clean, or otherwise?—Very clean.

How did Mr. Bridle act towards the prisoners whilst you were here?—Act! like a gentleman.

Did he treat them kindly or harshly?—Very kindly.

Did you ever hear any complaints of his conduct?—No, never.

Did he ever visit your ward?—Yes.

How often?—Sometimes three or four times a week.

Did you ever hear any prisoner complain of his neglect or ill treatment?—No.

Were you in the habit of going to chapel whilst you were here?—Yes.

Did you ever see Mr. Bridle there?—Yes.

How often did he attend?—Most Sundays, unless he was out of town.

J. Lee.

(22 June.)

Did you ever know him tipsey whilst you were here?—No, never.
Was he in the habit of swearing?—No.
Were you in any office in the gaol?—I was constable.
For how long of the time you were here?—More than five years.
Being constable, had you frequent opportunities of seeing and hearing Mr. Bridle?—Yes.

Do you remember ever any money being distributed amongst the prisoners whilst you were here?—Yes.
What was it?—Some money several different times.
Do you remember any particular instance?—Yes; there was ten pounds odd brought in.
Do you remember when that was?—It was in December 1815, I think.
Did you ever hear from whom it came?—Mr. Phelips, I believe.
He was high sheriff at that time, was he?—Yes.
You say you know other sums being brought in; can you mention any of the instances?—I don't recollect the time; there was two pounds, one pound, and so on.
Were any of the debtors ill whilst you were here?—Yes.
Were there families permitted to visit them during their illness?—Yes.
Did you ever know an instance of their being prevented?—No, never.
Were the sick attended to during their illness?—Yes.
Was nourishment afforded them?—Yes.
From whence?—From the lower part of the prison; Mr. Bridle's, I suppose.
Did Mr. Bridle visit the sick at all?—Yes.
Did you ever hear them complain of want of nourishment or attention?—No.
Did the shop and the butchers attend regularly whilst you were here?—Yes.
Did Mr. Bridle ever attend them?—Sometimes.
Did he take any pains to see that the prisoners were not imposed on?—Yes; when there were any complaints made.
Were there weights and scales in the gaol?—Yes.
Had the debtors ever the use of them?—Yes; at all times when they wanted them.
You must have been here when the fever was?—Yes.
Was any thing done to the rooms during the fever?—Yes, fumigated.
Was any thing else done?—Yes; washed with vinegar, fumigated, and so on.

Did you ever know Mr. Bridle render his assistance to poor debtors, to enable them to get their discharge?—Yes, always.
What did he do on those occasions?—He persuaded them to settle their business in order to get them out.
Do you know a man named Edward Sheppard?—Yes.
He was in custody when you were here, and now?—Yes.
Did you know him before he was in custody?—Yes; I have known him thirty years.
What was he before he was in the gaol?—He kept the stamp office.
What was his character?—Generally very good.
Did you ever know him guilty of swearing?—Sometimes.
What was his general character?—Very good.

Cross-examined by Mr. Hunt.—Mr. Bridle was a good while persuading you to settle to go out?—I don't know; I did not want to go out, I would rather stay in.
You were better in than out?—Yes.
How was it you managed to do so well in the gaol?—The majority of the ward put me in constable.
How much did they pay you a week?—Sixpence a man.
During the five years you were constable, you saw a great many extraordinary scenes?—Yes, I dare say I did.
Was Mr. Sherry there whilst you were there?—Yes.
Do you remember his being locked up down behind?—Yes.
He was very well satisfied, and never complained?—I never heard him; he had no reason to I suppose.
You never heard one man complain about the rules while you were here?—I cannot say about that.
Did you ever hear one that did not complain?—Yes, some did not complain about them.
You never complained about them yourself?—No, I was very well satisfied.
Do you know Mr. Underwood, of Glastonbury?—Yes, I know Moses Underwood.
Have you had any conversation lately?—No, I have not spoke to him since I was out of the prison.
Nor yet in his hearing?—I do not know; I do not recollect that I have.
Perhaps you did not tell any body at Glastonbury, that you thought Mr. Bridle had better not call you?—No, I do not recollect that I have.
Try and recollect; do you swear that you have not said lately, that Mr. Bridle had better not call you?—I do not recollect that I did; if I did I do not recollect it.
Did you not say, that if you did come, that you would be upon oath, and must tell the truth?—I might say so perhaps.
That if you told all, some awkward things would come out?—I might say so.
You know that you are sworn to speak the whole truth, and keep nothing back?—Yes.
Did you know farmer Mirless, a debtor?—Yes.
Young Rees?—Yes.

Did

J. Lee. (22 June.)

Did they ever go out to play cards in Mr. Bridle's house?—No, they might go out, but I do not know it was to play cards.

Have you ever known any of the debtors sent for, and kept at Mr. Bridle's house till late hours?—I do not know; I do not recollect, as I do; I never made any remarks of such things as that.

There was a rule that debtors wives should not go into the bed-rooms?—Sometimes they could, and sometimes they could not, because I had not got the key.

But when you had the key, you used to let them up into their bedrooms?—Yes.

How much did they give you for letting them up?—I made no charge; they gave me what they pleased; they were not bound to give me any thing I suppose.

But there was something called socket money?—I have heard such a thing.

But did you hear that in gaol;—Not in common.

Have you heard it in your ward?—Yes.

What was the sum you used to have in general?—Sometimes sixpence; not so high as a shilling.

Was farmer Mirless ever up with his wife?—He never had a wife while I was here.

If not a wife, had he any other person up there?—He never had a woman person up there.

What person have you known up there?—I have never known a woman up stairs with him.

But have you never known any woman that was not his wife let into his ward, or any where where others could not see their wives?—No, never.

You never told any body anything of that sort?—No, I did not.

You say Sheppard used to swear sometimes?—Yes.

How often did you know him go to chapel in the last four years?—I do not know that he went at all in the last two years.

Will you swear he went to chapel in the last three years you were here?—No, I cannot swear that.

Perhaps you could not swear that he went to chapel in the last four years?—No, I would not say its so long.

He was Mr. Bridle's clerk?—Yes, he would write for Mr. Bridle.

Perhaps he had so much writing to do, he could not have time to go to church?—I do not know that that prevented him.

Was he frequently out of ward on Sunday?—Yes.

Can you undertake to say how many times Mr. Bridle was at chapel during the last nine months you were here?—No.

You say Mr. Bridle attended frequently with the shop?—Sometimes when there was occasion.

What occasion did you ever know him attend with the shop?—When the goods were charged too high.

How often did that happen?—Sometimes not once in six months perhaps.

When that happened, did you send for him?—Yes.

What was the result?—He advised us to change shops, and try another.

Who was the person he advised you to leave and try another?—I do not recollect the person.

How many come in with the shop; is there one of the name of Whittle?—Yes.

Morgan?—Yes.

Jane Masters?—Yes.

Who else?—Mrs. Heard.

Have not all these persons served the shop ever since you came here?—Yes.

Which of these has he ever advised you to leave and not deal with?—I cannot tell which; I did not take any particular account.

Did he ever order any of them out of the gaol for selling you bad things?—I do not recollect that he did.

Did he ever bring round weights and scales to see that the people had their weight?—We had the gaol scales, and have used them in his presence.

Were the things ever found short weight?—Yes.

He was present when the shop things were found short weight?—Yes, sometimes.

Did you ever know or hear of his taking the parties before a magistrate, and having their weights examined?—No.

Then, although he frequently knew of the shop people bringing things to the prisoners that were short weight, yet he never prevented the same people from serving the prisoners?—No; but he took care to weigh it, and not have short weight.

He took care to weigh it, and not let you have it short weight?—Certainly.

When he found the things short weight, what did he do?—Send them back again.

Which of them did he ever send back?—I can't say.

When he sent them from your ward you do not know where they went to?—No.

You do not know that they were sent out of the gaol without selling their things?—No.

You remember a ten pound note being sent into your ward?—Yes.

You are quite sure it was a ten pound note?—Yes.

It was divided among the debtors, was it?—Yes.

Whose gift were you told it was?—I considered it was Mr. Phelips', and I heard so at the time.

And did you return Mr. Phelips thanks?—Yes; we had it put into the paper, I believe.

J. Lee.
(22 June.)

Did you, amongst yourselves, draw up the advertisement returning thanks?—I believe Sheppard did.
How much did it come to amongst you?—Three shillings and twopence a piece.
Perhaps something was deducted for the advertisement?—I believe there was.
Do you know how much Sheppard deducted out of it for the advertisement?—No.
Do you know how many debtors were in your ward at that time?—No.
You were constable in the upper debtors ward?—Yes.
And had nothing to do with any other part of the gaol?—No.
You could go in and out when you liked?—No.
You kept always in your ward, except Sundays, when you went to chapel?—Yes.

Re-examined by Mr. White.—Mr. Bridle might have taken these persons before the magistrates for short weight, without your knowing it?—Certainly he might.
Did Sheppard charge any thing for the advertisement?—I don't know.
You don't know whether any thing was payable for it?—No.
Did you read it?—I heard it read; there was coal mentioned at the same time.
There are a great many other people go round with articles of sale besides the shop?—Yes.

Examined by the Commissioners.—Did you make use of the expression, that if you told the truth some awkward things would come out?—I might have said so.
Will you swear you did not say so?—No; I might say so.
Then if you might say so, you must have known some awkward things?—I don't believe I ever said so; if I did I had no reason.

John Waistcoat called in; and Sworn.

J. Waistcoat.

Have you been confined in this gaol as a debtor?—Yes.
How long have you been discharged?—To-day.
How long have you been in the gaol?—Twelve months and thirteen days.

Examined by Mr. White.—Have you ever seen Mr. Bridle drunk since you have been in the gaol?—No, never in my life.
Have you ever heard him swear since you have been in the gaol?—Never.
Does he ever visit your ward?—Yes; very frequently.
How has he conducted himself towards the prisoners?—No person could conduct himself better ever since I have been here.
Did you know Davis, a debtor?—Yes.
Is he lately dead in the gaol?—He died the 31st of December last.
Who slept in his room when he died?—I did.
Of what complaint did he die?—He went to bed at half-past eight in the evening in as good health as any man in England.
Was he taken ill that night?—Yes; he was taken all at once about two o'clock in the morning.
What was his disease?—I think a paralytic stroke; he never spoke after he was taken.
What did you do after he was seized?—I got up, and tried to put him in bed again, and spoke to him several times, and he did not answer me.
What did you do then?—I put him in bed, and went and alarmed the ward directly.
What was done?—We alarmed the constable, and he called Mr. George Bridle, and he came.
Did any medical person attend soon after?—Yes.
Who attended?—Doctor Robertson.
What time did Doctor Robertson come?—I think about half-past three.
Did Mr. Robertson do any thing for him?—He sent him some medicine.
Did Mr. Robertson see him afterwards?—Yes, about seven, and bled him; and he bled him again about ten.
Did Mr. Robertson say any thing on the occasion; state what he did say?—He said he must take about a pound of blood from the damnation mad brain of him.
Did he say any thing else?—Yes; he said he must put twenty or thirty clysters up the b——r's arse.
Did Mr. Bridle visit the ward?—Yes; Mr. Bridle came up and saw him between eleven and twelve o'clock the same day; Mr. Valentine came and bled him about twelve.
How long did he continue in this state?—He died about the same hour the next morning. I was in the room at the time he died.
Did Mr. Bridle often visit the ward?—Yes; very often when he was sent for, and at other times besides.
Have you ever known him complained of for his want of attention?—Never since I have been there.
Do you know Sheppard?—Yes.
Is he a blasphemous man?—No; I never heard any thing of the kind; he always behaved very well since I have been there.
Is he an abandoned man?—No, not at all.

Cross-examined by Mr. Hunt.—When you heard these expressions from Mr. Robertson, you were very much shocked?—I did not like to hear any such expressions used about a human creature.

Which

J. Waistcoat.
(22 June.)

Which time was it that he made use of these expressions?—The second time he came, when he first bled him.

What did he say the first?—He said, he must go home and prepare some medicines directly for him.

He used nothing the first time?—No.

Did any thing happen to make him use such gross improper language?—No one gave him any occasion for it. He said, he must take a pound of blood from his d——n mad brain! Those were the words.

Did he bleed him directly?—Yes.

And he said at the same time he must give him twenty or thirty clysters?—Yes, he did.

Did he give him these clysters?—Yes; there were some clysters applied too; I can't say how many; I saw three or four.

Who applied them?—Mr. Hobbs applied the first, and the constable of the ward, one Jenkins, applied the rest.

What did they say when they heard this language?—Jenkins said, he never heard such rascally behaviour in his life.

What did the officers say?—Mr. Hobbs said, he would be very well next morning; but I told him he was a dead man, and he would not believe it.

I asked you, what the officers said to this language of Robertson's?—They did not hear it.

Then, when the doctor came to bleed the man at seven o'clock, and to give him the clysters, there was no officer of the gaol there?—Yes, there was; I did not understand what was meant by the officers; George Bridle and Hobbs were there.

What did the officers say to this language of Robertson's?—They said nothing, that I heard.

This was a small room that you were in?—Yes; a three-bedded room.

Then George Bridle stood by and heard what the doctor said, and took no notice of it?—George Bridle was there at the same time; I did not hear him take any notice of it.

What did Mr. Bridle say when he came up?—I was not in the room; but I saw Mr. Bridle go up stairs.

Did you tell Mr. Bridle what horrid language Robertson made use of?—No, I did not. It was talked of in our ward a long time afterwards.

Mr. Bridle and Mr. Robertson were very intimate at that time?—I can't say.

Setting aside this horrid language, did he do every thing in his power to assist the man?—I don't doubt but he did.

How often has Mr. Bridle gone up to inspect your bed-rooms?—Several times to inspect the beds. I was not up with him. I have seen him go up into the bed-rooms, to inspect the beds I suppose.

They are Mr. Bridle's beds, are they not?—I don't know that they are. I always heard they were. I suppose they are.

What bed had you?—I slept on my own.

Are there any straw beds?—There are straw beds under the feather beds. Old Mr. Thompson sleeps on a straw bed.

Whose straw beds are they?—The county, I suppose.

Are you in the habit of going to chapel?—I have been there since I came here, but not very often.

Did you ever see Sheppard there?—No.

Is he out of the ward on Sundays?—Yes; in the conversation room with his wife and family, to take his meals, nothing else.

He is never in Mr. Bridle's house on a Sunday?—I can't tell that.

Do you mean to say, that he has not ever been out of his ward in chapel hours since you have been here?—I can't pretend to say; he might, or might not.

And he never makes use of any improper language?—Not to abuse any one. He may sometimes out with a word, the same as I or any other man, but I never saw him any way abusive.

Do you mean to say, you never heard him swear?—I can't say that.

You have heard him swear, and yet you say, he is not a blasphemous man?—He does not make a common practice of it, as I know.

What time does the shop come to your ward?—About eight o'clock in the morning.

Who comes with them?—Generally, a turnkey.

Which of the turnkeys?—Davis, and George Bridle and Charles Marshall.

Have you ever seen any body else come up with the shop?—Yes; I have known Mr. Pike come with them.

Have you ever known them find fault with the things?—Yes; there was some salt sent back once or twice.

Do you mean that was brought by the shop people at eight in the morning?—Yes.

Who was the officer when that was sent back?—George Bridle.

Did the same shop people come in since?—Yes; always the same people.

Then you did not report it to Mr. Bridle?—Yes; it was reported to Mr. Bridle, and Mr. Bridle made them come down, and they took the salt and brought more into the place to make it weight.

Who reported it to Mr. Bridle?—I think it was George Bridle; either he or Mrs. Bridle sent word to Mr. Bridle, and he did send down word.

J. Waistcoat. (22 June.)

Then you don't know whether it was Mr. Bridle or Mrs. Bridle that sent for them down?—It was George Bridle's wife I mean. She weighed it and found it short weight.

Then nobody came to you but the shop people?—Yes; George Bridle.

And nobody else?—No.

And they gave you fresh salt?—It was not my salt.

Re-examined by Mr. White.—Was any excuse made for sending the salt short weight?—They said, the girl put it up, and they did not know but it was weight.

Examined by the Commissioners.—Had Davis ever been supposed to be crazy?—Yes; it was thought something was the matter with his head.

John Hays called in; and Sworn.

J. Hays.

Were you a constable whilst you were here?—Yes.

How long were you here?—Nine months.

When were you discharged?—Twentieth of May last.

Examined by Mr. White.—What part of the gaol were you in?—In the lower debtors ward.

Do you know a person of the name of Charles Hill?—Yes.

Do you recollect his being sent for to go to any other part of the prison?—Yes, to Mr. Hunt's.

What state was he in when he returned?—Sometimes he was fresh, and one time he was almost tipsy.

What clothes did he wear back?—He wore home a new hat once; and another time he brought some cloth for a coat.

Do you recollect his saying any thing, when he returned, about any person in the gaol?—He said that the governor was turned out of the gaol; he said I should lose my master; and that the governor was not any longer master of the gaol.

Was this when he came back with the cloth?—I don't know, it was one of the times he came back.

Did you know two debtors of the names of Collard and Child?—Yes.

Do you recollect their being sent for to the same place?—Yes.

Did either of them make any observation when they came back?—No.

Do you know Collard's wife?—Yes.

Do you recollect her cap and frill being placed any where?—Yes; pinned to the articles, (rules.)

Did Mr. Bridle come into the kitchen while they were pinned up?—Yes; and he ordered me to take them down.

Did Collard say any thing to him on that occasion?—Mr. Bridle asked how he came to do it; and Collard said it was no harm, they were no rules at all.

Any thing else?—He talked very rough to the governor.

And what did the governor say?—He told him it was a lie, they were the articles.

Did the governor swear to him at all?—No, he did not.

Did Collard say he had received any thing any where?—He said he had some drink down at Mr. Hunt's. He did not say so at the time when he returned, but the next day.

Do you recollect a prisoner named Treble?—Yes, very well.

Was he ill at any time?—Yes.

More than once?—Yes, he was taken ill one morning, and got better a day or two after.

Were you constable of the ward at the time?—Yes.

Did you apply to either of the turnkeys respecting the chamber door?—Yes.

To whom?—Mr. George Bridle.

What application did you make to him?—I asked him to let me have the key of the chamber door, that we might heat things that he wanted in the night; he said he'd speak to the governor, if he gave liberty for it; and it was done; we had the key of the door, and the use of the fire.

Did you ever see Mr. Bridle and Treble together?—Yes.

Where?—In the ward where we lived.

Do you recollect his asking him how he was, and he said, better; Mr. Bridle said, you've got an old man, so mind and take care of yourself; was this said in a kind way to him, or otherwise?—In a kind way.

Did you look into Treble's cupboard when he died?—Yes.

Did you observe any provision?—Yes; there was a great figgy pudding, and bread, butter, tea, cheese and sugar; he had meat in the meat house.

Were you on the coroner's inquest?—Yes; he had beef of his own, and beef of the county besides.

Was any question raised before the coroner as to his want of nourishment?—No; the coroner asked the men on the jury, the two men that sat up with him, if he did not want any thing; and they said no, he did not want any thing.

Were the witnesses sworn before the jury?—Yes.

Were they asked any questions before the jury by the coroner?—Yes; they were asked how he died, and whether he had any victuals, and all that.

Were these questions asked in the presence of the jury?—Yes.

Did Mr. Bridle ever visit your wards?—Yes, very frequently.

Did

J. Hays.
(22 June.)

Did you ever hear any complaint of his not attending?—No.
Was the ward kept in a clean or a dirty state?—Very clean.
Did you attend divine service at the chapel?—Yes, every Sunday I was here, except one.
Did Mr. Bridle ever attend?—Yes.
How often did he attend?—Always when he was at home for what I know.
Did you ever hear Mr. Bridle swear?—No.
Did you ever see him drunk?—No.

Cross-examined by Mr. Hunt.—Was Hill very tipsy when he came back?—No.
He did not fall about?—No.
You reported it at the time to Mr. Bridle?—No, I did not think it worth my while.
He wore home a new hat?—Yes.
That you are sure of?—Yes, but I don't know where he brought it from, and he brought home some cloth for a coat.
Did he tell any body where he had it from?—No; that did not concern me.
Will you swear it was a new hat?—No; it looked a fresh one, we termed it a new hat. I never had it in my hands. To the best of my knowledge it was a new hat.
And you swear he had been drinking?—Yes, by the manner of him; in fact he said so himself.
And he told you you'd lose your master?—Yes.
And what did you say?—I said I could not help it.
Mr. Bridle always behaved very kind and civil to the prisoners?—Yes, in my presence, and always very civil to me.
And never gave any prisoner an uncivil word in your presence?—Not in my hearing.
It was not uncivil to tell a prisoner it was a lie?—No, because the man asked for it.
You say you recollected Treble very well?—So I did.
You had occasion to recollect him?—Yes; I have some occasion, because he made me lousy when I came in.
Was he lousy long, or was it an accident?—It was stopped as soon as it was found out, he was ordered down and cleaned.
Then there was no other occasion which makes you recollect him?—No.
And you and he always agreed very well?—Sometimes we did, and sometimes we did not, the same as the rest of the ward.
Do you recollect any thing that took place in the cook house?—Yes, he fell upon me, and struck me in the face; I catched hold of him, and he tried to throw me down, but he happened to fall down first.
Then he had the worst of it?—I don't know, I never hit him. I don't know I hurt him.
Do you mean to swear he was not hurt by falling down?—He was not hurt to the best of my knowledge.
He never complained that you hurt him in the private parts?—Yes, he did; but that was false, because it was proved.
But he did not admit it was false?—He said he was ruptured through it, but men proved that he was broke before he came to the prison.
And said upon his death bed that John Hays had been the cause of his death?—I heard it was said so among the prisoners.
And you were one of the jury?—Yes.
And agreed to a verdict that he died by the visitation of God?—Yes.
And not a word of that he said on his death bed came out before the jury?—No, there was no occasion.
What aged man was Treble?—I don't know.
Was he not an old man, and feeble?—Yes.
How often did Mr. Bridle inspect your bed-rooms?—Several times; but I don't know how often.
And always attended chapel when he was at home?—I don't know but he did. I did not know when he was or when he was not.
The night that Treble died, the staircase door was locked?—Yes.
So that he could not use the meat in the cook house to make soup?—No, not at night.
Mr. Robertson attended him?—I believe he did.
Don't you know he did?—Yes.

Re-examined by Mr. White.—Who attended Treble in his last moments?—Goodman and Raynes.
Did they state to the jury what his dying declarations were?—No.
Did you ever hear before, that you were the cause of his death?—No.

Examined by the Commissioners.—Before; when do you mean?—Not before now; since I came into this room.
Did you ever hear it reported any where, that you were the cause of his death?—No, never.
Did you ever hear it reported that Treble said so upon his death-bed?—I heard Goodman say that Treble said I hurt him when he fell down.
And that you had been the cause of his death?—No, I never heard that.
Did Goodman say that publicly?—Yes, in the ward.
After Treble was dead?—Yes.
Was any one present beside the other debtors when Goodman said that?—No.

J. Hays.
(22 June.)

Was it ever mentioned more than once?—I don't know.
Was it before or after the coroner sat?—Before.
How long was it before Treble died, that you applied to George Bridle to have the key of the door?—About a week.
And after that he told the governor that he was better?—Yes.
And how came the door to be locked again?—Because he got better.
How long before he died did he keep his bed?—I believe two days.
Did you, on his being taken worse, and taken to his bed, make a second application for the key?—Yes, I did.
Who to?—George Bridle.
What was the consequence of that application?—He said he could not allow it, because the governor was not at home.
Did the governor return home before Treble died?—I do not know.
Do you know who, in the governor's absence, does his duty?—Mr. Hobbs did then.
How came it then that that application was not made to Mr. Hobbs?—I don't know.
Then, on George Bridle telling you that he could not let you have the key because the governor was out, you were satisfied, and made no further application?—Yes.
Do you remember who were the jury; was Raynes?—I do not remember.
Do you remember whether you saw Raynes at the time the inquest was taken?—Yes; he was there I know.
And Raynes and Goodman sat up with Treble the night of his death?—Yes.
Did Charles Hill say where he had been drinking?—No, he did not.

[Adjourned at a quarter past 7 P. M. until 9 to-morrow morning.

SATURDAY, 23d June 1821.

The Commissioners re-assembled at 9 A. M.

Josiah Brookes called in; and Sworn.

J. Brookes.
(23 June.)

WHERE do you live?—In Ilchester.
You have been a prisoner in this gaol?—Yes.
What for?—Manslaughter.
How long were you here?—Six months.
And when were you discharged?—12th of February last.

Examined by Mr. White.—What ward were you confined in?—The misdemeanor ward.
Where is it?—The small yard opposite the time yard.
Do you remember a boy named Wheeler there?—Yes.
What was his character and conduct?—Very saucy at times, and contrary to the rules.
What was he particularly addicted to?—He was charged with breaking saucepans sometimes.
Any thing else?—No, I don't know any thing particular.
Was he ever spoken to by any one on occasion of his ill behaviour?—Mr. Pike came in and charged him about the saucepans, and desired him to tell if he knew who done it.
Well?—He said he did not know any thing about it. Mr. Pike said, if he did know any thing about it he had better tell, or he would lock him up. He said he did not care, he might lock him up if he would. Then he was confined.
Do you recollect being at work in front of the gaol, polling stones?—Yes; I worked there almost all the time I was here.
Was there a man named Guard worked with you?—Yes.
Do you remember his making use of any expressions to the other prisoners at work?—Yes.
What did he say?—We were working together in the shed, it was cold weather, and he said, "every man drop your tools;" and Mr. Davis heard him, and he reported it to Mr. Bridle.
Did any one desire Davis to report it to Mr. Bridle?—Not as I know of.
Did Mr. Bridle come out in consequence?—Yes.
What passed?—He asked Guard what he meant. He said he did not mean any harm. Whether he did or not I can't say.
You can't say whether he meant any harm or not?—No.
Did the men do any thing in consequence of this?—No, I did not see as they did.
When Guard desired them to drop their tools, did they continue to work or not?—Some of them did and some did not.
What did Guard himself do?—He dropped his first.
Did the men work afterwards?—Oh! yes; Mr. Davis told him to keep on his work.
Did he work again before Mr. Bridle came out?—Yes; he was at work when Mr. Bridle came out.
Did any of the men throw off their shoes, and shew their naked feet?—Not as I saw, they did not.
Were you at work among them?—Yes.
Could they have done it without your seeing them?—No, I believe not.

Did

J. Brookes.
(23 June.)

Did Davis single out any of them when Mr. Bridle came out?—Yes; he called Guard, Burge and Warren.

Why were they called out?—They wanted to come in out of the cold or something, they wanted to see Mr. Bridle.

What passed when Mr. Bridle called them?—He asked what they wanted, and they said they wanted to go into the factory, if he pleased.

What passed further?—They had more conversation, and I believe they were saucy to Mr. Bridle.

State your reason for believing it?—Mr. Bridle ordered them to the lodge, and sent them out with irons on.

What reason had you for believing they had been saucy to him?—I thought so because he sent them out with irons on.

Where were you when they were with Mr. Bridle?—Outside at work.

And where were they?—In front of the work where I stood.

Were you near enough to them to see and hear what passed?—No, I was not exactly.

Were Guard, Warren and Burge the first that dropped their tools?—I can't say they were; there were others beside them.

Who were the first that dropped their tools?—I can't say.

Did they drop their tools at all?—Some did, and some did not. I did not take any notice who amongst so many.

Did Guard drop his tools?—Yes.

Did Warren drop his tools?—I can't say whether he did or not.

Did Burge drop his tools?—I can't say; I can't recollect.

Did you give the men any advice with regard to striking?—No.

Do you positively say upon your oath that you did not?—Yes.

Did you know a prisoner named Gardner?—Yes.

Did he work with you?—Yes.

What was his conduct in general?—Very contrary and saucy.

Was he placed in any particular situation when he was at work?—Yes.

For what reason?—For not working. He would not mind his work.

Why was he placed in that particular situation?—He would not mind his work; he would not follow his work, that was the reason.

Did that make him work better, being put in that situation?—Yes.

Do you know of any other reason for putting him in that situation?—Yes; he cursed the officers and jawed them at times.

Do you know of any other reason?—No, not particular.

Did Mr. Bridle ever come to you?—Yes.

What did he say and do on these occasions?—He would ask how the men got on.

Did he say any thing else to them?—He desired them to mind their work, and go on quiet.

Was this said harshly and offensively to you, or otherwise?—He spoke it in a civilish way, as I thought.

Did Mr. Bridle ever come into your ward?—Yes.

Did he come often, or otherwise?—Oh! yes; he came very often.

What did he say or do when he came?—If any thing occurred, he would endeavour to put it to rights.

Did any thing occur particularly?—Sometimes things did not answer to the rules.

What did Mr. Bridle do on those occasions?—He desired every man to behave himself and go on quiet.

Did you ever hear Mr. Bridle's conduct complained of whilst you were hear?—No.

What was his general conduct to the prisoners?—He desired them to behave themselves, and go on quiet, and he would do all in his power to make things comfortable.

Do you remember Gardner's uncle coming to the gaol?—Yes.

Had Gardner, whom I have been speaking of, a brother here?—Yes.

Did the uncle pass by where Thomas Gardner was at work?—Yes.

Did he say any thing to him?—He desired him to behave himself and go on quiet.

Did Gardner make him any reply?—No, I fancy not.

Did the uncle see him when he returned from the gaol?—Yes,

Did any thing pass between them then?—Not any thing more than that; he desired him to behave himself.

Did Thomas Gardner then make any answer to his uncle?—I believe not.

Did Mr. Bridle punish any of the other prisoners, except those men that were put in irons, whilst you were here?—No, unless they deserved it.

Did he behave well to you while you were here?—The same as he did to others.

How was that?—I was obliged to behave myself, and mind my work, and do what the officers ordered me.

Did you know a prisoner named Hilliard?—Yes.

What was his character and conduct whilst you were here?—Rather a lazy loose sort of a chap.

Do you know any particular instance of his misconduct?—No more than I have seen the ways of him when I have been at work with him.

What were his ways?—Hanging about and not minding his work.

Any thing else whilst he was at work?—No, nothing particular.

J. Brookes.
(23 June.)

Cross-examined by Mr. Hunt.—When you were at work outside, was it really cold weather?—Yes; it was coldish, it snowed; but we were in the dry.

And these men asked Mr. Bridle to let them go to work in the factory in doors?—Yes.

And did not the men generally wish to go in?—I believe they did, mostly.

Did not you tell Mr. Bridle it was cold weather, and you should like to go into work at the factory?—No, I did not.

You did not speak at all?—No, not about that concern.

What did you speak about?—I told Mr. Bridle that some of the men wished to go in.

You did not tell him as complaining of the men?—No; I did not do it as complaining of them particular.

When you saw them come out in irons, you thought they had been saucy to Mr. Bridle within?—Yes, I did.

Unless they had been saucy, or had done something they ought not, you did not expect to see them in irons?—I did not know what they were going to be done with.

Did not you learn that they had been shewing their feet, that they had no feet to their stockings?—No; I heard some of them say they wanted stockings.

You say Mr. Bridle never punished any of the men, unless they deserved it?—I don't believe he did.

You heard of Wheeler having his hands handcuffed behind him?—Yes.

Perhaps you have heard of Hilliard having double irons?—I never saw it.

But you have heard of it?—I don't believe that was while I was here.

You heard of Gardner having a blister on?—Yes.

And Guard and Burge and Warren had double irons on?—Yes.

And were you never double ironed?—No, never; no.

I believe when you came in, the coroner's inquest charged you with murder?—No, I don't believe it did.

Will you swear that the verdict of the coroner's inquest was not murder?—I don't know.

You had no irons on before trial?—No, till I was taken down to trial.

Gillet and Masters, who went with you, had not irons on?—No.

You are all three voters of Ilchester?—I never was in my life.

But some of your family are?—Of course.

Were you ever reported for kicking a man named Seviour?—Yes, my foot went round against him.

Were you locked up or double ironed for it?—No; the officers came in.

You were accused for kicking the man that died?—Yes.

When he was down?—Yes.

Did you not threaten Seviour, that you would give it him when he came out?—No.

Were you one of the party that came in here with music in election time?—Yes.

You joined the yellow party at the election?—Yes; I did at the last election.

And you were never punished the whole time you were here?—No; I never deserved it.

Did you ever know a man reported for kicking or striking another without being punished, before?—Yes.

Who do you remember being reported?—One Hodges, I believe, once; but I won't be certain.

What was he reported for?—For fencing; standing up fencing with another.

And who was he reported to?—Mr. Pike, I believe.

Was he reported for fencing or making a noise?—For fencing or striking; but I did not take any notice of it in particular.

I believe Seviour complained that you hurt him a good deal?—No, he did not, I am certain.

What did he complain of then?—I was at play with another man, and my foot went round against him as he stood by the table.

But he told the officers you kicked him?—Yes; I believe he did.

Re-examined by Mr. White.—How old are you?—Going twenty-three years, I believe.

How old were you at the last election?—Not twenty-two.

Did you vote at the last election?—No; I never voted in my life.

Were you a householder at the last election?—Yes; I had it about a month or six weeks.

Then you could not vote at the last election if you would?—No.

Was the unfortunate man that was killed, of the same party that you were?—Yes.

Were you at work together?—Yes.

Did you voluntarily surrender to take your trial?—Yes.

Mr. *Robert Anstice,* and Mr. *George Allen Underwood,* Surveyors, called in; and Sworn.

Mr. Anstice examined by the Commissioners.—You and Mr. Underwood are two surveyors who have lately been engaged in examining the buildings of this gaol?—Yes.

Have you agreed upon any report upon that subject?—We have.

Mr. R. Anstice and Mr. Underwood. (23 June.)

[Report read by Mr. Anstice.]

To Mr. Underwood.—You agree in that report?—Yes.

Mr. Anstice examined by Mr. Hunt.—Have you ascertained the level of the bottom of the drain where it enters the gaol, and the bottom of the lower drain where it empties itself?—Not exactly so.

Then there is no means by which you can tell us, what fall there is from its entrance to where it escapes?—Not exactly from that point.

Can you tell us what fall is from Mr. Tuson's mill, to where the drain enters the gaol?—Not exactly to the entrance to the gaol.

Can you tell the number of feet or yards of the main drain, from the entrance of it into the gaol, to where it empties itself into the river?—I have not measured it.

Mr. Underwood examined by Mr. Hunt.—Have you measured it?—No.

[Messrs. Anstice and Underwood referred to the plan of the drains.]

To. Mr. Anstice.—What fall is there from the entrance of the drain into the gaol, to its escape into the river?—One foot ten inches seven-eighths.

How much is there to be taken from that by the penning back of the water at the bottom?—The penning of the water in the river is very irregular, when I took it at low water it was ten inches.

Leaving at that time a fall of one foot and seven-eighths of an inch?—Yes.

Have you opened the drain in the factory-yard, to ascertain what state that is in?—I have not.

Have you opened the drain under the time men's yard, between the privies and the river?—No.

Did you examine the men, Gibbs, Cooper and Marshman, who have lately cleaned out the drains?—No.

Then perhaps you have not learnt that down the last-mentioned drain, and in the drain in the factory-yard, which are the two drains you have not opened, that there the filth accumulating lays to the depth of two feet?—I have not ascertained that.

Have you found in any instance that the wells are very near the drains?—Some in the back yard are near the drain; and the old one, in the second refractory yard, is particularly near.

What distance did you find that well in the misdemeanor yard, and that in the first refractory yard, from the drain?—It was ascertained as near as we could; and I saw it laid down in the plan; and I can only speak to it upon reference to the scale.

In the factory yard, is there any other means of the water used in washing the yard escaping but through the chinks in the pavement?—I have not followed the course of the small drains to see whether the water can escape in any other way.

Did you ascertain that the mouths of the sink stones in the factory yard were higher than the pavement?—No, I did not ascertain whether they were or not.

If the mouths of the sink stones are higher than the pavement, can the water escape in any other way than through the chinks?—I believe not, except in small quantities.

Is not the paving-stone in that yard laid loose, without mortar applied for that purpose?—I believe they are not laid in mortar. It is not common to lay them in mortar.

But I believe that generally through the prison they are laid so?—Not generally; but I believe that some are laid so.

Have you ascertained, that generally through the gaol, the mouths of the sinks are placed low enough to receive any water that might not sink through the chinks?—I have observed, that in most instances, the pavement around the sinks has sunk so that the water cannot reach them.

Then in that case the water used for washing the gaol must generally sink into the gravel?—Yes.

Mr. Hunt to Mr. Underwood.—How long have you been in Ilchester now for the purpose of surveying the gaol?—About six weeks; but I have been out at times.

In surveying these drains, have you examined Gibbs and Cooper, two masons, and another prisoner, as to the state they were in before they were recently cleaned out?—I have questioned several men, whose names I am not acquainted with; one I believe to be Gibbs, and another Cooper.

I believe those drains have been cleaned out since you were here?—I saw some men cleaning the drains at the ends next the river.

Were they cleaned out preparatory to your surveying them?—Not for that purpose.

By your order I mean?—No.

Mr. R. Anstice and Mr. Underwood.

(23 June.)

I believe at the time that you knew you were here for the purpose of ascertaining the state of the gaol?—Yes.

Did you think it expedient to superintend them during the two days they were cleaning the drains to ascertain what state they were in?—I did.

I thought you said you only saw them at the outside of the gaol?—I saw men in the drain and out of the drain.

But you saw it by accident only; you had no knowledge of its being cleaned out, only by accident?—I walked several times from the town on purpose to question the men.

What men did you question about them?—I don't know the names of either of them.

You are sure you questioned them then at the time about the state of the drains?—At the time.

What description did they give you of them; what parts did they point out to you as being in the worst state?—They spoke of the part under the time men's privies.

Did they speak of the part under the factory yard?—Not to my recollection.

Was Gibbs or Cooper either of those men?—I cannot swear.

But you know they were the men that had been in the drains?—Yes.

Then, if they stated here that you made no inquiries of them they stated what was untrue?—Yes.

And you are sure they did not say that under the factory yard was one of the worst accumulations under the gaol?—I do not recollect it.

And neither Gibbs nor Cooper have told you so since?—Not to my recollection.

If they had told you so, you, as surveyor, would have had that part opened to ascertain the fact?—Yes, or gone into it to inspect it.

But you have had many parts of the drains opened?—Yes.

Then should you not have had that part opened, if you had been told it was in the worst state of any in the gaol?—Perhaps I might.

I thought you were directed by the Commissioners to open different parts of the drains, for the purpose of ascertaining the state they were in?—I had no written authority from the Commissioners for that purpose.

Had you any written authority to make any report at all?—We had.

What was that authority?—It is in the first part of our Report, you will see it.

You had written authority from Sir George Gibbes?—Yes.

Did you not, in person, receive instructions from the Commissioners to open the drains in various parts, to ascertain the state they were in?—It might have been mentioned to me, but I have no recollection of it.

Did you not understand that the object of your labours (yours and Mr. Anstice) was to ascertain the state of the drains, amongst other things, that you might include it in your report to the Commissioners?—No.

You did not understand that that was part of your instructions?—No.

Then how came you to report upon it?—We reported upon it, for the purpose of information, to Sir George Gibbes.

Were you not instructed by the Commissioners, in this room, to open the drains in different parts?—I have no recollection of it.

But as you undertook to report upon the state of the gaol, and opened them in different parts, how came you not to open the drain in that part where the men who cleaned it out informed you it was in the worst state?—I did open it where I considered it in the worst state; that is, as near as I could with reference to the security of the building.

How many places did you open the drain in?—In six places.

In the second drain, the fall from the drain appears to be one foot one and two-eighths of an inch; and in the third drain, lower down the river, there only appears a fall of seven inches from the drains, as described in the map; how came it to occur to you to open that drain where there was a great fall, and not to open that lower down the river, where there was not half the same fall?—I was given to understand that the obstruction was in the drain from the men's time-yard, and not in the drain to the lodge privy.

Then you were given to understand that the obstruction was where you ascertained the current to be one foot one inch, and not where the fall was seven inches?—Yes; but there is a step at the mouth of the second drain, which brings it up nearly to the level of the third.

Then you have not taken the level from the mouth of the drain, but only from the step?—No.

Did not you ascertain from the men that you examined, that one of the principal obstructions was under the time-men's privy?—Yes.

Can you tell me how much lower the bed of the drain, under the first time-men's privy is, than the mouth of the drain where it ought to empty itself into the river?—I cannot tell precisely; I should suppose it nearly level.

Having learnt from these men, that that was the part where the principal obstruction was, how came you not to open it before you made your report to the commissioners, so as to ascertain the precise cause of such obstructions?—I opened the drain at a place I thought best calculated to meet the wishes of Dr. Gibbes.

Where you opened the drain, is that not forty or fifty feet from where the obstruction is?—It may be about thirty.

Then opening the drain thirty-feet below where the obstruction was, you thought the best means of consulting the wishes of Dr. Gibbes?—I opened the drain in the place that had been represented to me to be in the worst state, namely, that from the privies of the two time yards.

Did

Did not the men represent to you that the third drain from the privy of the first time men's ward, to the privy of the lodge, was in the worst state?—They represented to me that the drain under the two time yard privies had the greatest accumulation in it. *Mr. R. Anstice and Mr. Underwood.* (23 June.)

It appears on the map, that you made the opening ten feet below the second time men's privy, and thirty feet below the first time men's privy; how far did you pass down the drain towards those privies?—About eighty feet from the back drain.

How far did that approach to the first privy?—About eight or ten feet.

And then you thought it convenient to return?—Yes.

Then you have not passed through the whole of the drains?—Not the whole of them; but where I did not walk, I put myself in such positions as to see as much of the drains as possible.

From where you walked, to the opening of that drain, appears to be about forty feet; and that part was represented to you as in the worst state of any of the drains in the gaol?—Yes; but I put myself into a position to see that space of between thirty and forty feet.

What did you perceive cover the bottom of the drain there?—Partly night soil.

Any thing else?—It was not wholly covered with night soil, and part of the stones were bare.

Was there any water there?—I saw no water.

There has been no means taken since to open the drain, or to remedy the defect?—No.

You have no means of knowing the state of the bottom where the drains were covered with night soil?—The space covered with soil was small, and I did not have that soil removed to inspect the paving.

Did you find the paving generally good where you went?—I did.

Did the men that you enquired of respecting the drains report that parts of the paving where you did not go, were laid some up and some down?—No.

Nor did you find any thing of the sort?—No.

Can you say any thing respecting the drain at the lower part of the factory yard, under the privy?—It was described to me by a man in the drain, who I believe had cleaned it out. I was told that it was in as good repair as any part we had walked over.

With what he told you, you were satisfied, you knew nothing of it yourself?—I have given it to the commissioners.

Who was the man that was with you?—I believe it was Gibbs; there were three men with me in the drain.

And neither of them told you that the lower part of the drain in the factory yard was every time they cleaned it out, two feet deep in soil?—Neither.

What was the reason of your not walking to the end of the lower drain?—We have described in our report, that there was ten inches water in that drain; I went down into the water.

Was it in consequence of the depth of the water that you did not proceed?—No.

How far did the water pen back from the mouth of the lower drain in the factory yard?—Between sixty and seventy feet.

Can you tell how near the wells at the back of the gaol are to the drain?—The two wells in the misdemeanor and first refractory wards, are between three and four feet from the centre of the wells, to the side wall of the drain.

What space is there between the outside of the wall of the drain, and the outside of the steaning of the wells?—From about six to nine inches.

How near did you find the steaning of the old well in the second refractory yard, from the drain?—The steaning was removed.

Was not that well nearer to the drain than the other well?—I don't know.

How thick did you find the wall of the drain where you opened it, which adjoined the old well?—Between one and two feet.

Then as far as you have ascertained the fact, the floor of the drains are very level and good?—I believe I have answered that question before, in two parts it is sunk, but it is generally good.

How much are those parts sunk?—I should suppose from two to three inches.

The mouth of the lower drain appears to be three inches higher than that of the drain above it; therefore it is probable that that has a current backwards, I cannot speak as to that.

Then you cannot tell any thing at all respecting the third drain down the river?—Yes, I can.

What?—I inspected it from both ends, and was otherwise given to understand that the paving of it was in as good repair as the rest of the drain.

[Adjourned at a quarter past 1 P. M. until a quarter past 2 P. M.

The Commissioners re-assembled at that time.

George Wellington called in; and Sworn.

Where do you live?—At Yeovil. *G. Wellington.*

Examined by Mr. White.—I believe you are a druggist?—Yes.

Have you ever received any written orders from Mr. Bridle?—Yes.

G. Wellington.

(23 June.)

Can you produce them?—I can produce a letter, dated 9th February 1820, and answer from Matthew Hobbs; I received that the following day.

" Dear Sir, " Ilchester, February 9th, 1820.

" Please to send me, by post-boy, or some other conveyance, 2 lbs. pumice stone, half a pound Oxford ochre, half a pound Dutch pink, and three pints linseed oil. I want these articles for a little job of my own. You will please to let them be genuine, and be placed to my private account. " Dear Sir, your most obedient,

Mr. Wellington. " *W. Bridle.*"

[*Without any date.*]

" Sir,—Please to send by the bearer, for Mr. Bridle's use, four pounds of patent yellow, and one shammy skins. " I am, sir, your obedient servant,

" *Matthew Hobbs*"

Did you supply those articles?—I did.

Whom did you debit?—Mr. Bridle.

Have you the journal or day book in which he was debited?—I have.

Have you the ledger into which it was posted?—I have.

Produce them.

Day Book.

	s.	d.
Mr. Bridle, per post,—1820, February 10th.		
2 lb. pumice stone	2.	0.
½ lb. Oxford ochre	0.	8.
Half a pint Dutch pink	0.	8.
Three pints linseed oil	2.	7½.
Quart jar	0.	7.
February 11th.—Mr. Bridle, per Holland.		
4 lb. patent yellow, 1*s.* 9*d.*	7.	0.
1 shammy skin	1.	9.
Journal, Mr. Bridle.—1820, February 10th.		
½ lb. Oxford ochre	0.	8.
2 lb. pumice stone	2.	0.
½ lb. Dutch pink	0.	8.
Three pints linseed oil and jar	3.	2½
Mr. Bridle.—1820, February 11th.		
4 lb. patent yellow	6.	0.
Shammy skin	1.	9.

There is a difference in the price of the patent yellow in the two entries?—The first is the price we sell it at by the single pound. By taking four pounds we allow a shilling.

Had you an account with the county of Somerset at this time?—Yes.

Did you charge either of these articles to the county of Somerset?—I did not.

Did you receive the orders for supplying articles for the county, through the medium of Mr. Bridle?—Sometimes I did, but not generally.

From whom did you generally receive those orders?—From Matthew Hobbs, the late taskmaster.

When you received these orders from Mr. Bridle, or Mr. Hobbs, how did you know whom to debit?—We kept three separate accounts with the county.

Describe how you knew whom to debit?—First; paint and oil was generally charged to the use of the county, and colours. The second was for the manufactory, such as dye stuff, glue, clothiers oil, alum, and copperas. The third account was called the sick account; such as grits, and spice occasionally.

How did you know when to debit Mr. Bridle?—When we received an order from Mr. Bridle or Mrs. Bridle, requesting them to be placed to their private account.

Cross-examined by Mr Hunt.—Have you any other orders for colours supplied for Mr. Bridle's private use?—No.

Who fetches them generally?—Holland, the carrier.

Do you recollect a man named Robert Corry coming for any articles for the county?—I can't say; there may have been people when I have not been at home.

Re-examined by Mr. White.—Would those ingredients, patent yellow and Dutch pink, form a green?—No; there must be a blue with them.

Were the ingredients that you sent sufficient to paint a gig?—Several gigs.

Was there sufficient to paint one gig several times?—Yes.

What is the price of sufficient blue to make these ingredients form a green?—About two shillings.

John Gill called in; and Sworn.

J. Gill.

Where do you live?—At Somerton.

Examined by Mr. White.—Were you ever the surveyor of the works in this prison?—Yes.

Do you remember a prisoner here of the name of Duncan Campbell at that time?—Yes; and many years after this house was built.

Was he a respectable man?—Yes.

Did

Did he amuse himself in any way by working?—Yes.
How did he amuse himself?—He was always at work.
At what?—Carpentering.
Did he do any thing in the turnery way?—Yes; he could use the lathe very well; he was a very good turner.
Do you remember his doing a little job for Mr. Bridle?—Yes; and I saw him about it.
What was that work?—Partly square work, and partly turned.
What were the articles he partly turned?—I saw fragments of it in the room where his lathe was set up; he told me it was for Mr. Bridle.
What were the articles?—I can't say; they were separate.
Of whom did he have the wood?—Of Mr. Bridle.
Did you furnish any of the articles?—Yes.
Should you know the bill you sent in for those articles?—Yes.
Is that it?—Yes.

J. Gill.
(23 June.)

"Duncan Campbell, Esq. to the county of Somerset.

1808.	£.	s.	d.
For sundry pieces of oak and elm timber belonging to the prison of Ilchester, and used there - - - - - - - - - -	0.	17.	6.

Received, by the payment of Mr. Bridle, *John Gill.*"

Cross-examined by Mr. Hunt.—Mr. Duncan Campbell was confined here for manslaughter?—Yes.
Then that is an account between the county of Somerset and one of the prisoners?—Yes.
Mr. Duncan Campbell used this wood in turning?—Yes; he had some of the parts of the frame up in his room, and some was in his lathe.
Duncan Campbell was here six months?—I can't tell.
He used all this wood for turning?—Yes, all that was necessary.

Examined by the Commissioners.—Do you know what this wood was used about?—I can't tell now; I could tell if I was to see it.
Do you know what it was for?—It was to support something like a table.
Was it a cot?—No, nothing to sleep on.
When did you leave the office of surveyor?—In 1810.
How long did you hold that office?—Fourteen years.
How old are you?—Seventy-seven years.
Did you see where the timber was used that he turned?—I looked in and saw the frame several times.
Where did you see it?—Down below in this house, on the ground floor in this house.
What was it used for?—I can't tell; something in the music way.

The Reverend *William Langdon* called in; and Sworn.

Where do you live?—At Montacute.
Are you a magistrate of this county?—Yes.

Rev. W. Langdon.

Examined by Mr. White.—I believe, sir, you have been an acting magistrate of this county till very recently?—Yes; until I was deprived of my sight.
I believe you are one of the capital burgesses of this borough?—Yes.
Have you been so many years?—I don't know exactly; many years before Mr. Edward Phelips died; it must be more than thirty years.
You mentioned Mr. Edward Phelips; he was also a capital burgess, and member for this county?—Yes.
Were you here at the last election for this borough?—Yes.
Do you recollect where you dined on that day?—Yes; I dined in this house.
Can you describe the room you were in?—No.
Your sight was as bad then as it is now?—Yes.
Do you recollect any of the company that were here then?—Yes; many of them.
Will you describe as many as you recollect?—The two Mr. Barnetts, Mr. Lilley, and Mr. Fry.
Do you recollect any others?—Mr. Reece, my curate, and his son.
Do you recollect any others of the party?—My son was here.
Any body else?—A person of this town; I think his name was Robertson; he had been in the town but a short time, an apothecary.
What is Mr. Fry?—Surgeon and apothecary in Martock.
What is your son?—A lieutenant in the navy.
Mr. Reece's son, what is he?—He is in the navy; but I believe has not got a lieutenancy.
Was it a respectable party?—Yes.
Were the party convivial?—Not very convivial; we drank two or three glasses of wine, and some of the party went into the town.
Did they keep it up late?—Most of the party went out, and only three, four, or five of us were left.
How long did the party stay?—Those that went out returned again in the evening, and after that we staid till about eleven o'clock; I got home before twelve o'clock; the clock struck

Rev. W. Langdon.

(25 June.)

struck after I got home; Mr. Bridle went with me to the chaise, and I waited sometime before I could get it.

Did you leave the party first, or did they break up together?—Some went into town and staid there some time, but most of them went away when I did; the Mr. Barnetts staid out in town, I was told, a considerable time.

Did you leave any of the party here?—I don't think there was more than one person, which was a Mr. Kinnear, who was confined here; I am not positive, but I don't think there was more.

During the time you were here, was there any excess or disorder?—Very far from it; there was nothing immoral done during the time I was here, nor nothing indecent or improper or indecorous in any respect; there were a few songs sang in the evening, but not one of them improper, indecent, or unbecoming.

How old are you, sir?—In my eighty-second year.

Have you known Mr. Bridle ever since he has had the appointment of gaoler of this county?—Yes; I have not known much of Mr. Bridle; he has been at my house once or twice; and I have been at his house once, and only once, which is the time spoken of.

Did you ever hear any thing against his character?—Never, until the late charges have been made against him; I always understood Mr. Bridle to have conducted himself in a way to deserve the highest praise.

Cross-examined by Mr. Hunt.—You forgot to mention the ladies?—There were ladies here; they were in the room with us but a very little time; there was Mrs. Bridle, and one or two other ladies; it is impossible for me to know how many.

Do you remember Mrs. Badcock, of Wells, being here?—She might have been here.

Do you recollect Mrs. Maynard, of Street, being here?—I don't recollect the name.

Do you recollect Mr. Badcock, or Mr. Maynard?—No; there might be two or three gentlemen more than I mentioned, whose names I don't know; they were strangers to me.

Was Every, the clergyman, here?—Yes.

I believe you sung a song or two?—I might.

Mr. Every made a speech or two?—I recollect Mr. Every's health being drank when he was out of the room; and when he came back, he returned thanks, and paid the ladies some compliments.

I believe his speech caused some laughter; he made a little mistake?—He hesitated a little, which caused a little laughter.

You sung the "Nottingham Ale"?—Yes; I should not mind singing that before the bench of bishops.

Your son and Mr. Rees sung some duetts in the evening?—They might. I'll answer my son did not sing any thing indecent or obscene.

Do you think that, if the prisoners heard you, it would have been offensive to them?—No; nothing unchaste or indelicate.

You did not have the band of music in that night?—No; I don't recollect any band of music.

Was this the day of the election, or the day after the election?—The day of the election.

You returned Dr. Lushington and Sir Isaac Coffin?—Yes.

You don't know whether Mr. and Mrs. Badcock slept in the house or not?—No.

You don't know that Mr. and Mrs. Badcock and Mr. Kinnear played cards below, after you were gone?—No; I never heard that they did.

How far is Montacute from this place?—Between four and five miles.

Should you, as a magistrate, approve of the gaoler bringing bands of music into the gaol and the populace, and dancing himself for the amusement of the prisoners?—No; I should not think it proper.

Re-examined by Mr. White.—You say very properly, that bringing bands of music for the amusement of the prisoners would be improper?—I think it would be proper to avoid every thing of that kind.

But if a band of music came in at election time, and staid a short time at a seasonable hour of the day, not for the amusement of the prisoners, but in compliment to the gaoler, one of the electors of the borough; should you think that any great crime?—No; I should not think it highly offensive. It could not give any offence that I know of either to the prisoners or any other; but the keeper of a gaol ought to be particularly cautious.

Examined by the Commissoners.—As a magistrate of this county, and as a gentleman who would gladly support propriety and decorum in every situation of life, I would ask you what hour of the day is seasonable to have music and dancing in a gaol?—It would not be proper at any hour; but a little allowance may be made for an indiscretion considered in that point of view.

The Rev. *John Valentine* called in; and Sworn.

Rev. J. Valentine. (23 June.)

I believe you live at Martock?—I do.

You are chaplain of this gaol?—Yes.

And you have been so since when?—The 30th of April; but I have served the gaol since Lady-day.

Examined by Mr. White.—Since you have served the chapel, have you observed Mr. Bridle attend his duty at divine service?—I have.

I think you served before you had the appointment?—I officiated three Sundays for Mr. Reece, between Michaelmas and Christmas.

And you have regularly served it since Lady-day?—I have.

Have you seen Mr. Bridle at chapel whilst you have served it?—I have.

Has he been regular in his attendance at chapel?—When he was at home, I believe, he has. I recollect, one Sunday, when I called on Mr. Bridle at the house, and he said he was not well and had taken medicine; that day he did not attend chapel.

Will you give the Commissioners your opinion of Mr. Bridle's moral character—It is not in my power to say any thing to Mr. Bridle's disadvantage. From what I have seen of Mr. Bridle, his conduct has appeared to me to be very proper in every respect.

I believe you have lived in this neighbourhood a great many years?—About twenty years at Martock.

How far is Martock from hence?—We call it five miles round by the road.

During that period have you ever heard any thing to the disparagement of Mr. Bridle's character?—Never.

William Hanning, Esquire, called in; and Sworn.

W. Hanning, Esq.

I believe you are the high sheriff at the present time?—Yes.

And you are, when not in office as sheriff, an acting magistrate of the county?—I have been so a great many years.

Examined by White.—I believe you were an acting magistrate many years before Mr. Bridle was appointed keeper of the gaol?—I have been an acting magistrate twenty-five years.

How far is your residence from this gaol?—Twelve miles.

You are sometimes in the habit of coming to the gaol?—Yes; generally at what are called the gaol sessions, and at other times when I pass through the town I visit the gaol.

You, I believe, are regularly in your attendance at the assizes and quarter sessions, as a magistrate?—I have seldom missed an assize, and, upon an average, above once a year have I missed a session.

From having frequently visited the gaol, and having so often attended at the assizes and sessions, have you had opportunities of witnessing the conduct of the gaoler?—I have never seen any thing but what has been perfectly correct on the part of Mr. Bridle, both at the assizes and sessions.

Have you also had oportunities of witnessing his conduct in this gaol?—I have seen no impropriety in his conduct in the gaol, towards the prisoners, and never heard of any, until it was stated by Mr. Hunt.

Have you had opportunities of observing the state of the gaol, as to cleanliness, since Mr. Bridle has been in office?—I have visited the gaol when Mr. Bridle has been at home, and when he has been absent; I uniformly found it clean and well regulated, according to the system of the house.

Have you observed, on those occasions, the state of the prisoners as to the cleanliness of their persons and dresses?—I have myself frequently inquired of the prisoners if they had any complaint to make; I have had men brought before me for minor offences by Mr. Bridle; I have heard their complaint and admonished, and sometimes relieved them from the punishments they suffered; I beg to state, that this is some years back. For these two last years I have not been so regular in attending the gaol. I have not been a visiting magistrate of the gaol for the last four or five years; but I have been in the gaol during the time.

Have you, in your character as a magistrate, ever heard him complained of?—I have many times asked the prisoners, had they any complaint to make, and certainly no complaint, generally speaking, was ever made against Mr. Bridle.

Did you ever suspect his integrity?—I have had occasion to inspect his accounts, and have passed them again and again, and never detected a fraud.

Have you ever suspected a fraud?—No; I never heard of any suspicion, until the late investigation.

Have you attended at the gaol sessions when his accounts have been examined and inspected?—Frequently.

Have you attended at the sessions when those accounts have been allowed?—I have many times personally gone through the accounts myself, and have sworn him to the justness of the account.

W. Hanning, Esq.

(23 June.)

On those investigations, have you ever had the slightest suspicion of the accuracy of those accounts?—I never had reason to suspect them. It is the practice of the treasurer to cast up the sums.

Do you recollect the introduction of manufactory into this gaol?—Perfectly.

Were any manufactures carried on previous to the appointment of Mr. Bridle as gaoler?—I never recollect any.

Who originated the system under the sanction and direction of the magistrates?—Mr. Bridle.

Was he at all active in his duty on that particular occasion?—I certainly thought him so.

Did he, in your judgment, do all in his power, to promote the trades that were introduced into the gaol?—I am not conversant with trade; but, as far as conversation went, he appeared to me to interest himself about the trades, shoemaking and clothing.

I believe you took an active part when the manufactures were introduced into the gaol?—I was anxious, with the other magistrates, to place it on a good footing.

Did you suggest particular modes of keeping the accounts?—Yes.

Were the rules and regulations you gave him in that particular attended to by the gaoler?—I rather think the plan suggested was accurately attended to at the commencement; I have not looked into it some time.

Cross-examined by Mr. Hunt.—You say you heard no complaint against Mr. Bridle. Perhaps you recollect I made some complaint in person to you and Mr. Moody?—Yes, but you did not say what.

You have visited the gaol frequently; don't you think it possible you may have been imposed upon?—Certainly I might.

Then the great confidence you had in Mr. Bridle might have rendered you more liable to be imposed upon?—I gave credit to his statements, not having any reason to suspect them.

I believe that the magistrates, in order to know what was going on in the gaol in their absence, gave orders for an Occurrence Book, to record the occurrences that took place from day to day?—The system of an Occurrence Book has been continued from the time Mr. Bridle came into the gaol or soon after.

Did you, as one of the magistrates of the county, expect to find all the occurrences which took place in the gaol, entered in that book?—I considered it as a regular statement of every thing material that happened within the day, but not every little matter.

If those occurrences had been fairly and honestly recorded, could the magistrates have been at a loss to know what was going on in the gaol?—If a true statement of all material facts was made, they could not be at a loss.

Was it the duty of the gaoler faithfully to record when a prisoner was punished, and when he was released?—I consider those points most material, and therefore the gaoler in duty bound to state them accurately.

Was it with your knowledge and concurrence that stocks were kept in the gaol?—I never heard of the boys box stocks until the investigation. The female stocks I have seen.

Was it with your knowledge that prisoners in solitary confinement had handcuffs and irons placed upon them?—I do not recollect an instance of it.

Was it with the concurrence and consent of you or any of the magistrates that prisoners were punished by having blisters applied to them?—I never heard an instance of the kind until Mr. Hunt made it public.

Do you know whether any transaction of that kind has ever been recorded in the occurrence book?—I do not recollect an instance.

If Mr. Bridle has punished a prisoner by placing a blister upon his head, and a strait waistcoat upon him, as a punishment, and kept that prisoner in solitary confinement for a month without communicating the circumstance to a magistrate, or entering it in the Occurrence Book, has he performed his duty to the magistrates of the county?—If true, I certainly should have thought he exceeded his duty as gaoler.

Was it his duty faithfully to record the receipt and discharge of prisoners?—Most material, certainly.

The character you have given of Mr. Bridle of your good opinion of him, extended to what period?—February last.

[Magistrates Journal, Sir Charles Bampfylde's Order, 15th December 1820.]

You have seen that order before?—Yes.—[*read.*]

Since you have been in office, have you made any order as sheriff, to rescind or countermand that order?—As sheriff I have made no order to that effect.

Do you recollect what day you were sworn into office?—I rather think Tuesday, 13th February, at Bath.

Do you recollect what time of the day?—About one o'clock.

[Magistrates Journal, 13th February, 1820. *Order read.*]

Was that order made with your knowledge and concurrence?—I did not know that that order was made 'till many days after.

Have I made any application to you since, in your official capacity, to restore the former order of Sir Charles Bampfylde's?—Yes; my reason for not complying with the request of Mr. Hunt

Mr. Hunt was, I thought the interior regulation of the gaol was vested in the magistrates, and not in the sheriff. *W. Hanning, Esq.* (23 June.)

Since I made that request to you, have you taken any legal opinion to ascertain whether it was in your province, or in that of the visiting magistrates?—The magistrates in sessions ordered the clerk of the peace to draw a case, and lay the same before counsel; he has had an opinion upon the case stated.

My question was, whether you have taken such an opinion as high sheriff?—No, I have not.

And did any counsel give any opinion whether I was in your custody or in the custody of the magistrates?—That question was not put, I had no doubt that Mr. Hunt was in the custody of the sheriff; my doubt was, whether or no the magistrates had not the interior regulation of the gaol, as well the sheriff's as the other part of it.

Was that opinion taken by the magistrates applicable to my case?—There was nothing mentioned about Mr. Hunt in the case, if I recollect right.

Then you still are of opinion that the magistrates of the county have power to make rules and regulations, impose restrictions, and inflict punishments upon a prisoner in your custody without your consent?—I am of opinion that the magistrates of the county have power to make rules and regulations for the government of the whole gaol, and which when approved of and signed by the judges, are imperative as against the opinion of the sheriff.

Since you have been a magistrate of this county, have there been any rules and regulations made for the prisoners in this gaol, which have received the sanction of, and been signed by the judges?—Rules have been made by the magistrates and laid before the judges, but I apprehend they have not been signed.

Then during the twenty-five years that you have been a magistrate, the judges have never sanctioned and signed any rules or regulations that you and the magistrates of the county of Somerset have made for the governor of this gaol?—I do not recollect any rules having been laid before the judges, but once, and that not many months since.

Having received repeated applications from a prisoner of what he conceived a great grievance and hardship, you have not thought it your duty to take any legal opinion to ascertain whether you have power to relieve him or not?—Thinking the request not improper under all the circumstances of the gaol, I personally applied to the magistrates in quarter sessions, that Mr. Hunt, my prisoner, might have the accommodation he applied for; my request was not complied with.

Have you not frequently, upon my applying to you, recommended me to apply to the court of King's Bench?—Yes.

Perhaps at that time you did not know that my last application cost me between fifty and sixty pounds?—No, I never heard it till now.

[Adjourned at 7 P. M. until nine on Monday morning.

MONDAY, 25th June 1821.

The Commissioners re-assembled at 9 A. M.

James Woodforde, M. D. being Sworn; read a Report.

Cross-examined by Mr. Hunt.—I think you describe the gaol as having a particular free admission of air?—Yes. *J. Woodforde*, M.D (25 June.)

And in that description you also allude to the apartments at the back of the prison, from the hospital to the factory?—I do, certainly.

Can you tell us the dimensions of the yard, and height of the wall in the present infirmary?—Yes; boundary and division walls, eighteen feet two inches. I am fully of opinion, that the yard is of sufficient size to admit of a free circulation of air; that is my decided opinion.

Can you tell us the height of the building on the south side of the yard?—I am of opinion, that no injury can arise from any obstruction to the air. I am of opinion there is a free admission of air.

Is there any other admission of air than that which comes in at the top?—I suppose not.

What length of time, in the year, do you think the sun is excluded from the pavement of the yard?—I should think not three months.

Can it be a healthy situation for people to live in a yard where the sun is excluded for three months?—I don't think any injury can arise to their health from that circumstance.

Perhaps you think it not necessary that the sun should be admitted for the purpose of expelling foul air?—I judge it not to be requisite.

Then, do you not think access to the sun necessary for the health of man?—Not for that short period; admitting a free circulation of air in all other respects.

J. Woodforde, M.D.
(25 June.)

But do you think access to the sun unnecessary for the health of man?—In a small yard, surrounded with high walls, where there is no admission of air, but from the top, I am decided that it may be without injury to the health.

Have you ever consulted a person, or taken the opinion of any person, that has been placed in such a situation for three months in the winter?—I have not; but my own opinion is, that no injury would arise to the health of such a person, admitting them to be in a good state of health. I don't speak of it as an infirmary.

There being many persons residing in the northern aspect, did you not inquire of any of those persons as to any ill effect that they might have fancied?—I have done so before, from former inquiries; I never heard any complaint; I beg leave to remark, that my report states a decided opinion on all these subjects already.

Perhaps you can tell us the size of the first refractory yard, with the same aspect?—My opinion is formed from the sight and accurate inspection of those wards; first refractory yard, nineteen feet six inches, by twenty-seven feet three inches; second refractory yard, twenty feet two inches, by twenty-seven feet three inches.

Where a yard, nineteen feet six inches, by twenty-seven feet three inches, the walls being about eighteen feet six inches high, with a building on the south side, and very high poplar trees, fifty feet high on the north side; do you consider that a healthy residence for a human being?—From a view and knowledge of the trees and their situation, and their present size, I do not think the situation injurious to health; those trees will increase in size, but it is their present size I allude to. I have been there a great many times, and have always found a free circulation of air in the refractory court.

You have seldom been there, unless there has been a fever going on?—During that, very many times; but seldom at other times.

Do you know whether the bathing tubs have been used within the last twelve months, unless it has been when persons have been brought in in a dirty state?—I have no knowledge upon that subject within the last twelve months; I have not been in the gaol for the last twelve months.

To what use were the bathing tubs appropriated, when you last saw them?—I presume to the washing or bathing prisoners, in cases of necessity.

To what use were they appropriated when you last saw them?—They were empty.

Will you undertake to say that any person has been washed in them for the last twelve months?—I have not visited the gaol within that time.

How do you know that any person has been washed in the way you speak of in you report, within the last twelve months?—The information contained in my report of the washing of unclean prisoners, on their admission, is derived from Mr. Bryer the surgeon, and Mr. Bridle the governor.

Then you have made a report for the information of the Commissioners, from what you have been told by Mr. Bryer and Mr. Bridle?—Certainly, as to what relates to this subject, not having an opportunity of making a personal observation of it.

It did not come to your knowledge, at the time you received this information from Mr Bridle, that he was the party accused of neglecting to perform those offices?—That circum stance has not come to my knowledge.

Perhaps you are not speaking from your own knowledge, when you say that one hundred and thirty persons are assembled in the chapel?—That information is also derived from the governor.

Will you take upon you to swear, that there are not frequently two hundred persons and more assembled in that chapel?—Certainly not; I cannot speak to that.

Has it come to your knowledge, that there are above three hundred persons frequently within these walls?—I think I have heard of that number.

Have you not understood, that the whole of the prisoners, with very few exceptions, go to chapel?—That circumstance has not been particularly related to me.

Speaking of washing the floors once or twice a week as a salubrious practice, to what floors do you allude?—I understood, generally, the ground floors of the rooms.

Are not those floors composed of a very porous stone, called Ham Hill stone?—They are.

And should you consider it a healthy practice to wash those floors, when the prisoners have no other rooms to go in when they return from their labour?—I judge the practice very salutary.

You have stated, there have been twenty-six deaths in the gaol within the last thirteen years, and have brought down your Report to 1820, was there any reason for stopping there, and not continuing it to the present time?—No other reason than to give a definite number of years.

Did you not know, that four corpses have been carried out of the gaol within the last six months?—That I did not know.

From whom did you obtain your information up to December 1820?—Mr. Bryer, the surgeon, and an examination of the book.

And you did not look through the book to the present time?—Certainly not; my object was to take a definite number of complete years.

Then you stopped short where there had been but two deaths in two years, and omitted the last six months, where there had been four deaths?—For the only reason, that I deemed a report for six months an incomplete one.

You state, that you highly approve of the discipline, situation, and economy of the gaol?—I certainly do.

Then

Then, do you approve of applying blisters to men's heads as a punishment?—My observations are drawn from the general management of the gaol. *J. Woodforde*, M.D.

Of which you know nothing for the last twelve months?—My information is derived from different officers in the gaol. (25 June.)

As your information is so imperfect, will you say whether you approve of applying blisters to men's heads for punishments?—I don't think I am competent to give any opinion upon such a subject.

From what source do you derive your information respecting the economy of the gaol?—That is also derived from the statement given in by the governor and other attending officers.

When there is a fever, or any particular illness in the gaol, I believe you are called upon as the physician?—I understood, during the prevalence of the typhus fever, that an order was made by the magistrates to request my assistance in cases of imminent danger.

Examined by the Commissioners.—Can you state, whether the flat level country of this neighbourhood is more subject to epidemic diseases, than the adjoining and higher districts of country?—From an experience of nearly thirty years in this neighbourhood, I can testify that it is not liable to any endemic diseases; a circumstance which I ascribe to the general draining of the country, felling of trees, and other circumstances, rendering a more free circulation of air.

Can you state the comparative salubrity of the flat country, as of the higher part of the county of Somerset?—I believe there is at this period very little difference.

Why do you consider tin baths as preferable to those made of wood?—I consider they are more convenient to a sick room.

From your observation of the chapel, can you state for about how many it is calculated for?—I think for about one hundred.

When you say, that you consider washing the day rooms as a practice that is salubrious, notwithstanding that prisoners may return into them heated by work, do you, in that answer, contemplate their return into the rooms whilst they are in a wet, or even in a damp state?—My opinion of the practice is formed from its being done at a seasonable hour and time, judging it would be improper for persons, heated by exercise, to return to them whilst wet.

In the opinion you gave respecting the proportion of deaths in prison, or with reference to the proportion of deaths out of prison, did you take into consideration that children and old people seldom form a part of a prison population?—I did take that subject into consideration, because the mortality falls so very short of what happens in a general population.

Do you suppose, a yard surrounded by high walls, excluded from the sun three months in winter, would be injurious from the want of means of drying?—No.

Did you ever make any report of the want of an infirmary?—I made a report to Sir John Acland of the ill effects, arising at the time of the fever, from want of an infirmary, and upon future occasions, especially upon the appearances of fever.

When did you make that report?—In 1817 or 1818.

Can you tell to how late a period you continued your attendance at the time of the fever in 1817?—From March to June.

Can you tell me, whether the fever of 1817 had any influence upon the population of the gaol, in its consequences, during the following year?—I believe it had not.

Do you know, from the books or by any other authority, upon which you can rely, whether in the number of deaths in that year (five), how many were by the hands of the executioner?—I have no certain knowledge of the cause of those deaths; my report is formed upon the opinion of their being natural deaths.

Mr. *James Bryer* again Sworn.

What have you there?—An account of the number of sick prisoners that I have attended from the 20th June 1811, to May 24th, 1821, and their diseases. *Mr. J. Bryer.*

Have you a return of the number of prisoners that have been in the gaol during those years?—Yes.

Cross-examined by Mr. Hunt.—Under what class have you entered me in the book?—I don't know that you are entered at all.

Then perhaps you don't know that I have been attended by three physicians, and have taken the prescriptions of all; have been four times bled, and survived the whole?—I heard that you had been ill, and had been attended by Mr. Shorland and Mr. Robertson; but as you did not consult me, I did not enter your name in my book. I believe all you ever had of me was a little magnesia.

Perhaps you do not recollect my consulting you about the rheumatism?—Yes; soon after you came in you complained of a pain of the shoulder, and had five or six pieces of flannel upon it; but you never had any thing of me for it.

Were the cases of venereal (eleven in one quarter) those of persons recently brought in?—Yes, every one of them.

Do you recollect any case of venereal contracted in the gaol?—No.

John Treganza called in; and Sworn.

J. Treganza. (25 June.)

I think you hold a situation in the gaol at Bedford?—I am governor of the New House of Correction at Bedford.

You formerly held an office in this gaol?—Yes.

What was it?—Principal turnkey.

How long is it since you left that situation?—22d November 1819.

How long had you held that situation?—About two years and eleven months.

Examined by Mr. White.—Were you in the habit of attending the chapel whilst you were here?—Yes; I did not always attend the whole service, but I always attended to take the prisoners in and out.

On those occasions did you see Mr. Bridle attending divine service?—Yes.

Was he regular in his attendance, or otherwise, when he was at home?—Regular.

During the time that you were in the gaol with Mr. Bridle, did you ever see him intoxicated?—I never considered but once during the time, that he was any the worse for liquor.

How often, during the time you were here had the prisoners clean shirts and stockings?—Every Sunday, and sometimes oftener.

What was Mr. Bridle's general conduct to the prisoners whilst you were here?—Very kind.

What was his conduct towards the sick prisoners whilst you were here?—He was always very desirous that they should have every comfort that was necessary and attentive.

Did you ever know him send any articles of nourishment or comfort from his own table?—Yes, many times, scores I might say.

Have these acts been voluntary, or pursuant to any directions that he has received from any quarter?—I consider they were without an order, because they were choice things that were on Mr. Bridle's table. I was called in to know whether I thought there was any one that would like or could take any thing that he had on his table.

What earthenware, glass and tea things were generally used about the sick prisoners?—Tumblers, glasses, jugs, basons, cups and saucers, and sundry other things that was necessary to carry it out.

Were these the property of the county?—The glasses certainly not, nor the cups and saucers; I should rather think the jugs were not from their appearance; I should think the basons were, or mostly so.

Did you know a prisoner named Ford, whilst you were here?—Yes.

Did he die in custody?—Yes.

How long had he been in custody when he died?—I believe three days.

What was the conduct of Ford from the time he was brought into the gaol till his death?—He appeared in a strange way when I received him, not like men in general.

In what way was he strange?—I could not tell whether it was the effect of liquor or his mind.

What did he do in particular?—He was received at night, after dark, and therefore we knew very little of him till next morning.

How did he behave next morning?—I still found he was in a strange way; he appeared childish.

What did he do?—He was measuring the walls in the course of the day with a bit of string, the heighth and the width.

Was any thing observable in his conduct during the day after he was brought in?—Yes, he appeared foolish.

How long did he continue in this state?—The first and second day.

What was the treatment of him in consequence of this?—There was nothing particular until about eleven o'clock at night, on the second day, we were alarmed by the constable's rattle; we got up and went to the prisoner (Ford's) cell, and found him out of bed and making a noise. The constable informed us he had been in that state a great while, and he was ordered to be handcuffed by one hand to the bedstead.

Who gave that order?—I think it was Mr. Hobbs.

Was Mr Bridle present?—I think he was from home.

Were you of opinion that this was necessary, seeing the situation the man was in?—Yes, most certainly.

What passed afterwards?—He got loose, the cuff was so large he pulled his hand out.

When was this discovered?—In the morning, at unlocking.

Were you present at the unlocking?—Yes.

What was his conduct upon your unlocking him?—I found there was a great change in his conduct; he appeared rather to be violent then.

What day of his imprisonment are you speaking of?—The morning of the third day.

What was his conduct during that day?—After he had been handcuffed with the single handcuff over night, he kept a great noise; but I did not know whether he was loose or not, calling Betty, Betty, Betty; I thought it might be his wife's name. I did not know who he meant by Betty. That led me to suppose that the man was not right; before I thought it was trick.

Did he make any other noise than calling Betty?—A good deal of rattling, and thumping his bedstead, or some part of his room.

Did

J. Treganza.
(25 June.)

Did you do any thing in consequence of this during the night?—I got up once and went to his room; then he made use of some very vulgar expressions; I asked him who Betty was, but he didn't give any answer who Betty was; but said he was sent there by Lord Sidmouth to have connexion with all the women in the country, and wanted to have to do with Betty first.

In what tone or manner was this expressed?—Very loud.

State what was done?—He still had his hand in one cuff, but out of bed. He was put into bed, and we left him; nothing more was done to him that night. He continued noisy throughout the night, the same kind of noise; we did not go to him any more until he was let down in the morning at unlocking time. He was loose, as I before described, when we came to unlock; he was let down into his day yard, as before; but I found there was a difference. He passed the day, and took his food in the morning, but in the evening he refused it. He was put to bed at the usual time, and locked down; I think he was still locked with one hand till about the middle of the night, or rather the morning; we were alarmed again, and got up and went to him; he had got the bedstead out of its proper place to another part of the room; then I was ordered more properly to secure him, which I did by putting another chain and cuff upon the other hand; he was still noisy; we could not hear so much of his noise as of the rattling of the chain. We left him for the night; the noise was continued through the night; we were not alarmed any more; I went rather before seven to unlock him, I found his legs out of bed, his hands confined, and working his chains as if trying to get loose; then I opened his gate, and took the handcuffs off. I went to the other parts of the gaol while the felons were dressing, as is generally the custom, to let down the time men; then I returned to bring the felons down; he was not prepared, not dressed; he would not answer any questions I put to him; I took him out of his cell with the constable. He resisted, and made a motion to box, when I told him he should come out of his cell to come down stairs; he came up to me, as I supposed, with intent; I caught hold of him, and put him to set down on his bed, and told the constable he was to attend him. The constables are left up stairs about two hours, while they are doing their mornings work. I went on then to unlock the other part of the gaol behind; when I returned to the front lodge, I was called by the constable, and went up directly, and he asked me to go to the man's cell, for he had heard a noise, and said he hoped the prisoner had not hung himself, that he had heard something fall. I went to the cell door and found I could not open it easily, something obstructed the opening of the door; the door was opened a little way, and one of the men put his hand to see what it was, and found it was Ford; then the door was opened carefully, and we went in, three of us, and found the prisoner dead.

When you locked him up the preceding night, what was his conduct particularly?—One thing in particular I observed, was that he was continually snapping and biting with his teeth.

At what hour were you called to him in the last night?—It was after twelve o'clock.

From that time, after twelve o'clock at night, and before he was unlocked in the morning, did you again see him?—No, I did not.

How did he conduct himself when you went to him after twelve o'clock, on your entering the room?—There was no violence shown, but he seemed very strange; he used no violence to me; we were a long time before we could get him into bed again.

Did any one besides yourself attend on this occasion?—I don't recollect whether any officer was there besides myself; but the constables were let out of their rooms to attend with me.

Did those constables attend, or either of them?—Yes, two of them.

Who were they?—One was John Chamberlain, and I think the other was Richard Pike, but I am not quite sure as to him; there were six constables sleeping in one room.

What was your reason for putting an additional handcuff on Ford?—Because he had his bedstead from its proper place, and he was rapping at the door.

Did this rapping disturb the prisoners?—Yes.

Was it loud enough to be heard by all that were near him?—Yes; and a great many did hear him; it might have been heard on the bridge, I think.

What was done after finding him dead?—The body was put on the bedstead, and the surgeon sent for, and the coroner.

Did they come;—Yes, between four and five in the afternoon, I think.

When was this?—I think the last day of October 1817.

Was an inquest taken?—Yes.

Were you examined on that inquest?—Yes.

What other witnesses were examined that you recollect on that occasion?—John Chamberlain, Richard Pike, Aaron Britton, and the surgeon of the gaol.

Were these witnesses sworn by the coroner?—Yes.

Were they examined by the coroner in the presence of the jury?—Yes.

Were you here at the time the typhus fever was in the gaol?—Yes.

What was Mr. Bridle's general conduct to the sick on that occasion?—I considered him very attentive. His general practice when he came down stairs was to ask me whether there

J. Treganza.
(25 June.)

there was any fresh cases. If I answered that there had been, then he immediately took his key and went and saw them mostly, frequently with me, and sometimes he went by himself; that is, he took his key and said he would go, and I expect he did go.

Was his conduct on that occasion kind, attentive and humane, or was he negligent and regardless of the comforts of the sick?—Kind, most certainly, upon that and every other occasion; I never found him otherwise during the time I was here.

Was the gaol at that time crowded or not?—Very crowded.

In what way was it crowded?—I think in the course of eight months we increased nearly eighty, from the number I found in it. There has been four in one room at a time for nearly a twelve-month; where there was two bedsteads, there was two in each, and sometimes the beds have been on the ground for want of a bedstead.

About how many prisoners were there in the old time yard at that time?—One day there was seventy-seven.

Was Hibberd executed while you were here?—Yes; he was the last man that was executed before I left.

Did you attend on the platform when he was executed?—Yes; and at every execution while I was here; fifteen were executed while I was here.

Was Mr. Bridle present when Hibberd was executed?—Yes, on the platform.

What was Mr. Bridle's conduct towards the culprit immediately preceding his execution?—He was very attentive. The man had a wooden leg, and when he found he was left alone, he complained that he could not support himself till the signal was given; he called Mr. Bridle to speak to him upon the platform after the clergyman and all had left him; Mr. Bridle did go to him; and he required Mr. Bridle that he would allow him a chair, or something to sit upon. Mr. Bridle sent to the chapel for three hassocks; I supported those hassocks under him for a seat, until the signal was given.

When the culprit called to Mr. Bridle, did he go to him with reluctance, or with alacrity and kindness?—He was upon the platform in an instant, as quick as any person could.

Did he go with reluctance or kindness?—With kindness; as soon as the man spoke, he said "my dear fellow, what do you want;" and ran up immediately; there was not the least hesitation about it.

Did Mr. Bridle express himself pettishly, or as if he was dissatisfied with the conduct of the culprit?—Not in the least.

How near were you to Mr. Bridle during the whole time?—Before Hibberd called, and at the time he called, I was within two or three feet to Mr. Bridle, and afterwards I was about six feet as I jumped on the leads to secure the hassocks.

Were you near enough to Mr. Bridle, during the whole time, to hear what he said?—Yes; I believe I heard every word he said, certainly.

Could he have made any observation without your hearing it?—I think not; for he had always his eye upon Hibberd as I was supporting the hassocks under his seat.

When Hibberd called to him, had he his eye upon him?—I can't say, I was close to Mr. Bridle's side, and both looking the same way perhaps. I was looking towards Hibberd.

In the interval, while Mr. Bridle was going from your side to Hibberd, after he had called to him, could you have heard any observation which Mr. Bridle made?—Yes.

Could he have uttered an expression in that interval without your hearing it?—I don't think he could, if he had spoken in his general tone of voice.

Did you hear him make use of any expressions in that interval, except "my dear fellow, what do you want?"—No; they were the only words I heard; there was no other words that I heard, except those words to Hibberd.

During the whole of that awful time was silence preserved, or was there any noise upon the platform?—Silence.

Then can you say, in consequence of that silence, if any expression had escaped Mr. Bridle, beside that expression, that you must have heard it?—Yes, no doubt of it; I did not hear what Mr. Bridle said to Hibberd on the platform, nor Hibberd to him, except calling for something to sit on.

How was it you did not hear that?—I was below, and Mr. Bridle was upon the platform; I don't know that any thing else passed.

Did you, during the whole time of the execution, hear Mr. Bridle make use of these expressions, "Damn the man, what does he want!" or "what is the matter with him," or something to that effect?—No, I did not.

Did you know any thing whilst you were here of a book called the Charity Book?—Yes.

Did you ever make any entries in it yourself?—One in my own hand writing.

[Charity Book produced.]

Is that the book?—Yes.

Who

Who had the custody of that book?—It was generally in my custody whilst I was here; it was generally kept upon the charity box in the lodge. *J. Treganza.* (25 June.)

Did you know of any donations to the prisoners whilst you were here?—Yes.

Were those donations entered in that book?—Yes.

Do you know how those donations were applied?—Yes.
How?—In beer and coals, and sometimes to help to discharge debtors.
Did you ever know an instance, while you were here, of any donation being misapplied?—No, never.
Do you know any instance where it was not applied at all?—No, I do not.

Do you know how any particular donation was applied whilst you were here?—Yes.
State it?—There was a donation of ten pounds from the sheriff.
How was that obtained?—I think through Mr. Bridle.

State your reasons for thinking so?—It was, I think, at the close of an election, I was called on by a servant of Mr. Gore Langton, I think, to go to Mr. Tuson's house to fetch a large quantity of meat and bread, and brought it into the gaol in trucks, at three different times, and carried it into the cook house. While I was there, a gentleman came in to look at the meat that was brought in, and did look at it. Mr. Bridle then said to him, there was plenty of good meat, but there was one thing wanted. He asked what it was; and Mr. Bridle said, some beer to drink with it. That is my reason for thinking it was Mr. Bridle who obtained it. I had money from Mr. Bridle to pay for the beer after three or four days. There was some other things besides beer, to a greater amount than ten pounds, that I paid for.

Did that gentleman give anything?—I understood he gave ten pounds. Mr. Bridle told me so. Two other gentlemen gave something. I saw one of them enter it in the book; and I also saw him put it into the box. He did not enter his name, but he did the sum, and what it was; two one-pound Bank of England notes. It is entered in the book, "A bet, won at the last election," in the hand-writing of Henry Tuson, esq. I saw him write it himself, and put the money into the box. "Col. Elford one pound," I entered myself.

Was this at the close of a contested election for the county?—Yes; not Colonel Elford's, but the ten pounds and two pounds, and the broken victuals. The meat lasted three days in the gaol?—I should think there was one thousand pounds weight; a good deal was spoiled before they could eat it.

Did you on that or any other occasion, know of any donation being misapplied?—No; I paid the bills myself in this instance, and took the receipts myself.

Are the vouchers now in that book?—Yes, two that I paid myself.

1818.—July 1st. Mr. Bridle to William Raymond.
4th. For beer - - - - - £. 10. 12. 11.
July 31st, 1818. By cash, *William Raymond.*

1818.—July 1st. Mr. Bridle to John Ryall.
For tobacco, tea, sugar and pipes - - - £. 1. 15. 2.
Settled, *J. Ryall.*

[Occurrence book, July 1st, 1811, produced.]

[Adjourned at 20 minutes past 1 P. M. until 20 minutes past 2 P. M.

The Commissioners re-assembled at 20 minutes before 3 P. M.

John Treganza again Sworn.

Mr. White's examination of John Treganza resumed.—Can you speak to any of the other vouchers in that book?—There is one for beer, but not during the election.

What is that bill?—One for beer.

Do you know any thing of the circumstance to which it relates?—Yes.
What is the amount?—

Mr. Bridle to William Raymond.
1817.—December 25th. Beer - - - £. 0. 19. 0.
Settled, *William Raymond.*

State what you know of it?—It was for thirty-eight quarts of beer given to the debtors, and I paid for it.
By whom was it given?—From the charity book,

J. Treganza.

(25 June.)

Do you know of the distribution?—It was given to the poor debtors ward, to the best of my recollection. They were not allowed to purchase beer.

Did you ever know of the charity box being opened whilst you were here?—Yes.

Can you state how often?—I can remember once; but I do not know that it was more than once.

Do you recollect what was found in it that once?—Yes, I saw it opened; Mr. Moody, the magistrate, counted it over. It was opened by the visiting magistrates.

Do you recollect whether any other magistrate was present?—There was another magistrate, but I do not know who it was.

How much money was found in it?—I cannot tell, very near; there was six pounds in notes, and between two and three pounds in silver current; there was old silver and copper that was not current, which sold for eighteen shillings and four-pence halfpenny, I sold it.

Was that mentioned in the charity book?—Yes.

Can you point out the entry?—Yes.

[Entry, Charity Book, *read.*]

1817.—July 11th.	£.	s.	d.
Box opened by visiting magistrates, containing cash notes	6.	0.	0.
Cash -	2.	14.	0.
Old silver and copper coin sold for - - - - - - - - - -	0.	18.	4½.

Credit is given for these sums in the books?—Yes.

Had Mr. Bridle any company when he was at home?—I have seen company in Mr. Bridle's house when he has been at home.

Did they stay late, or go at seasonable hours?—Not very late.

Was there more company when he was at home or when he was absent?—On the contrary; seldom when he was at home.

Do you mean to say, that there was more company in his absence than when he was at home?—Yes; I hardly know a time but what there was company when he was absent.

Who had the superintendance of the gaol in his absence?—Mr. Hobbs, taskmaster.

Was that during the whole time you were turnkey here?—Yes.

Did you ever know Mr. Bridle return home finding company here?—Yes.

Did the company stay after his arrival?—Not always; sometimes

Did they stay till late and unseasonable hours?—I have known it once or twice while I was here.

What do you mean by that?—I mean when Mr. Bridle came home he has found company in the house, and they have staid till late, but generally otherwise. I have known many disperse that Mr. Bridle never saw.

Did you ever know a band of music admitted into the gaol whilst you were here?—Yes.

How often?—Once.

On what occasion?—I cannot positively say whether it was after an election, or whether it was a club day; but one of the two.

Are you sure that that happened but once while you were here?—Never inside the iron gate but once.

What part of the gaol did they go to?—In the back yard behind this house next to the laundry.

Were there any women in the laundry at that time?—I think not.

Do you remember a servant of Mr. Bridle's of the name of Samuel Hobbs?—Yes.

Did you ever employ him to carry things to the sick?—No, never.

Did you ever see him in a sick ward?—I do not remember that ever I did.

Did you ever tell Hobbs, the prisoners had thrown their tea under the grate?—Never.

Did you ever tell him that the prisoners complained of their tea?—I do not know that I ever told him; I might have told Mr. Bridle, or his family, that he might have heard; not directly to him.

Did you more than once tell Mr. Bridle the prisoners complained of their tea?—I do not remember more than once.

What was done in consequence of that?—I took tea unmade, and sugar, for the nurses to make it to their own palate.

Did you ever tell Hobbs, that the prisoner Hill was dying for want?—No, I never did; I have great reason to recollect that, in consequence of the treatment Hill received here.

What was that treatment?—His mother and two brothers came here to visit him, and they were admitted into his bed-room several times; and they requested me, if any thing was wanted, to procure it for him at their expense; I communicated their request to the governor. His answer was, that he should have every thing without that, and there was no occasion to put them to any expense. I know, that when things could not be got in this town, they have sent to Wells for them; such as oranges.

Who do you mean by they?—Mr. and Mrs. Bridle. Those oranges were procured, and I gave them to the prisoner Hill.

Was

Was he, in fact, supplied with every thing necessary?—Yes, I believe he was. Mr. Charles Hill was a debtor, and visited him, and saw that he had every thing comfortable.

J. Treganza.
(25 June.)

Are these your reasons for saying that you never could have told Hobbs that the prisoner Hill was dying for want; it strikes me so?—I am confident I never did say so; and the circumstance I have mentioned shews me that I never did. The day after this man's death his friends visited the prison, and saw Charles Hill, the uncle of the man that died, and took the body away; and it was a request of the mother and brothers, on their former visit, that if he should die, a messenger should be sent for them; and that was done. After their visit to Charles Hill, they returned to the lodge to take away the body; and then there was some conversation, which was this: that they were very much obliged to Mr. Bridle and all the officers for their kind attention towards the deceased. The mother was not present, but the message was delivered by the sons.

Did Samuel Hobbs's duty call him from the gaol ever?—Yes, often.

For what length of time together?—A week or upwards.

Where was he generally employed when he was at home?—I believe in Mr. Bridle's field when he was out of the house.

Did that happen often, or otherwise?—I think for a week or two together; he was at home always mornings and evenings, except when he was at assizes or sessions, or with convicts.

Did not he come home on those occasions to take his dinner?—I can't say he never did; I have seen him take his dinner with him.

Did you ever know him carry any thing else besides his dinner with him?—I have seen him take his tools.

Did you ever know him carry his milking-pail, with a view to bring it back in the evening?—Yes.

When he came back in the evening what was his employment generally?—He was sometimes in the house, and sometimes in the stable.

What was Mr. Bridle's general conduct to the prisoners during the time you were here?—I never heard any one complain; I never saw any reason for complaint; I never heard a person speak ill of him in prison.

What was the state of the prison, whilst you were here, as to cleanliness?—I believe it to be very clean; I never heard a magistrate or any body else find fault with it all the time I was here, not once.

What was the state of the prisoners as to cleanliness whilst you were here?—I never heard any complaint against them while I was here; I have heard many speak otherwise of the prisoners.

How often was their bed linen changed?—The bed-clothes were regularly changed once a month for those in health, and fresh beds once in six weeks, and clean ticks. In sickness it varied greatly; I have changed one man's as much as eleven times in one week, and others as often as three or four times in a week.

Generally speaking, were they changed as often as necessary?—Yes; I never knew a sick ward that was left without clean linen; where there was a nurse, it was left over-night hanging before the fire, for what might happen in the night.

Do you remember a prisoner, named Halkins, whilst you were here?—Yes, he was here when I came into the gaol.

Was he secured in any particular way whilst you were here?—Yes.

In what way?—He was cuffed to the bedstead with one hand, and he had a body iron round him. This man was several times ironed in different ways; but the first time I ever came into the gaol and saw him, he was in a body iron, with one hand locked to the bedstead.

Perhaps you can state the day?—I was appointed 13th January 1817, and I came on the Thursday week following.

You say you saw him several times so situated?—Yes, in different ways.

Was there any reason for this?—I can give no reason for what happened before I came, I found him there; the report was, that he had hung himself some time before; Harvey the turnkey, whom I succeeded, and Hobbs the taskmaster, told me so.

After you came here, what was the reason for his being so secured?—I think that for a twelve-month he appeared like a man deranged, threatening violence to himself and those about him.

Were those irons placed on him as a punishment, or to prevent his laying violent hands on himself?—I think nothing more than to secure him; he often said before he was put to bed at night, that he would not be alive in the morning. I have heard him say so scores of times; I often took knives from his stockings when I have been undressing him.

[Occurrence Book, Monday, 9th December 1816.—Halkins. Wednesday, 25th December 1816.—Halkins.]

[Magistrates Journal, December 9th, 1816, Mr. Moody visited. No notice taken of Halkins being in body irons.]

Were the prisoners instructed in reading and writing whilst you were here?—Yes.

J. Treganza.
(25 June.)

Do you remember a prisoner named William Watts?—Yes; he was sentenced to seven years transportation, which was commuted to one year's imprisonment, and he stopped here the year.

Could he read or write when he came into the prison?—He could not write at all, and could read but little, he could hardly tell the letters.

Could he write before he left the gaol?—Yes; I have seen many letters that he wrote to his wife, and have seen him write them.

Did you ever see him write for other prisoners?—I have seen letters come out in his writing for other prisoners, and have seen him write them; he was constable of the ward.

Did you know a prisoner John Burge?—Yes, a boy.

Had he similar advantages while he was here?—Yes, he was taught to write on a sand table.

Could he write when he came into the gaol?—No.

Could he write when he went away?—Yes, very well for the time he was here; I had the care of the boys and men, and made their copy-books for them, and ruled them, and this was continued for upwards of two years, and was in force when I left.

Do you remember a prisoner, Charlotte Scott, whilst you were here?—Yes, she was brought here before trial, and returned after trial.

Do you remember taking her any bed clothes on any occasion?—Yes.

From whom do you receive them?—Mrs. Hobbs, the matron.

On what occasion did you take her those bed clothes?—She was going to be locked up.

Were the clothes dry or damp that you took her?—They were taken from the laundry and folded up; Mrs. Hobbs and I examined them, and thought them dry; we did not know to the contrary, they were selected from a great quantity.

Did you make any observation to Charlotte Scott, on delivering them to her, as to the bed clothes?—I don't remember that I did.

Did you say to her they were smoaking hot?—No; I never said any such words.

Are you quite sure of that?—Yes, confident, nothing of the kind.

Did you take the bedcloaths through the rain?—There was a little rain; there had been a good deal of rain.

Were they made wet or damp with the rain?—The blankets were folded up in the rug; there was a few sprinkles of rain on the rug, but nothing more; the bed, I believe, was that she had been sleeping on; it was not brought from the laundry, but from her own yard.

Were they made damp with the rain?—There was a few drops on them; the rain had ceased before I had done the business I was about; it was a mere storm, I was not wet.

Cross-examined by Mr. Hunt.—The tea you used to carry to the sick prisoners, where did you have it from?—From the house.

Was it generally made in the kitchen?—I have sometimes seen it made in the kitchen, and sometimes found it ready; I generally took it from the kitchen.

Who generally served it out to you?—Several in the three years, generally Miss Hobbs; sometimes Mrs. Bridle, and sometimes the servants.

Do you remember two servants, Sarah Lawrence and Sarah Hewit?—Yes; they were Mrs. Bridle's servants two years following; they succeeded each other.

They were both prisoners?—Yes.

Both transports?—I think not; no, but one.

Was not Sarah Lawrence sentenced for transportation first?—I think not, I never heard that she was; I think her sentence was three years imprisonment.

Do you know why she left the house?—I know no more than what I have heard in the gaol.

What was that?—That she was in the family way.

Had she a child in the gaol afterwards?—Yes.

Was it nine months afterwards?—No.

Have you heard her say who was the father of the child?—No.

Have you ever heard her say what she would do with the child when she left the gaol?—That she would take it to its father.

Do you remember hearing her say, that she would send it with a ticket round its neck; "take me in and use me well, for here you see my father dwell," or something of that sort?—No; I have heard her say she would never take it out of Ilchester.

Was Sarah Hewit moved out of the house while you were here?—Yes.

Perhaps

Perhaps you know what that was for?—Yes, a similar thing; I heard being with child. *J. Treganza.*

And these ladies had at different times the serving out of tea for the sick?—I can't say they; I never had it of them. (25 June.)

It was generally the practice to have it after the family had done breakfast?—Sometimes, not generally; as often one way as the other.

Sometimes as late as eleven or twelve o'clock?—No, never; the latest that I remember was ten o'clock.

However it was so late that you have frequently complained?—No; I have asked several times before it was ready, as I have been going through the house with my key; I have enquired as early as eight o'clock whether the tea was ready; I may have done so several times while I was here.

What sort of a man was the maniac prisoner, Ford?—He was a man about five feet eight inches, a boney man, but thin.

Have you not forgot something that was put on him besides handcuffs?—No; I think not.

Double irons?—I think not.

Will you swear?—No, I will not, I don't remember.

Do you remember taking them off?—No, I think Mr. George Bridle took them off; I was once in the cell while it was about, while the irons were taking off.

Is it so common a thing taking irons off a dead man in a gaol, that you do not recollect the circumstance?—I was there once while it was taking off.

Did you know any other man die in irons while you were here?—Yes, fourteen or fifteen, perhaps all those that were executed; they were, with the exception of one.

And that one was Hibberd?—Yes.

And he had handcuffs on?—Yes, I think he had.

Was it usual to execute the criminals in handcuffs, as well as irons?—Yes.

Were you going to say that you have known another person die in his cell in irons?—Yes.

Do you recollect his name?—Harris or Harrison; I think his name was Harris.

Was any person placed with Ford to sleep with him?—Yes; or rather Ford was placed with some one else.

When he was calling Betty! Betty! was the first time you thought he had any thing the matter with his mind?—No; but it was the first time we thought any thing serious; at first we thought he was playing tricks with us, and that it was wickedness.

Then when you thought he was playing tricks with you, you placed one handcuff upon him; and when you found that he was seriously deranged, you placed two upon him?—That was after the middle of the last night, when he had got his bedstead out.

And when you went up to unlock him in the morning he was undressed, or had not got all his clothes on?—No, he had not got all of them on.

He had not got his shoes on, I believe?—I can't say that he had or had not, I don't recollect.

All the rest of his clothes, except his shoes?—No, he had no coat on.

When you came in to order him out, he offered to box you?—He made signs, he did not offer by words only by actions.

And you very quietly sat him down upon the bed?—Yes.

And nothing more?—No, I left him in the care of the constables.

And about ten minutes afterwards they came?—I told you that the man was dead; no, not ten minutes; but sometime afterwards they called to me to come up stairs.

And did you go or send the key?—I went myself.

And there you found the man that had offered to box you, ten minutes or a quarter of an hour, dead?—I did not say ten minutes or a quarter of an hour; it was a considerable time more than that.

But he was dead?—Yes, when the door was opened.

The coroners inquest sat the same day?—Yes.

And you were the principal witness?—I was one of the witnesses.

The first witness called, and the longest examined?—I was the first; I can't exactly say which was the longest.

I suppose you related the same things before the jury, that you have here?—I don't know but I did to the same purpose, I believe.

Perhaps you forgot to tell the jury that you discovered his insanity, by his calling Betty! Betty! Betty?—No, I don't think I did forget to tell them.

You did not forget to tell them that he attempted to box you?—I don't know that I worded it in that way; I told them he appeared violent; I can't express the words, its so long ago.

You are quite sure he offered to box you?—He put himself into a boxing attitude.

Put up his fist to you?—Yes.

J. Treganza.
(25 June.)

Almost the last act that you witnessed, was his offering to box the turnkey in his own cell; will you pretend to say that you did not tell that to the coroner's inquest?—I can't say whether I did or not.

Did you forget to tell them that you placed him quietly upon the bed when he offered violence to you?—I could not swear to that; I don't know whether I did or not.

Then you can't say whether you told them the last act of his life that you witnessed?—I can't say what I told; not the precise words.

Perhaps he was not so violent as to require much force to put him down?—No; he appeared to have been exerting himself; he was heated; he never struck me; he only offered.

In the situation you hold now, if a prisoner came up to you in a boxing attitude, should you not feel justified in knocking him down?—I don't know that I should; I should not do it at any rate.

Do you know where Richard Pike, the other constable, lives now?—No.

When was Ford buried?—The same afternoon.

Did you keep coffins in the gaol ready made?—I have never seen but one coffin kept in the gaol.

Was this man's body wrapped in a pitch cloth when he was buried?—I can't say; I know the coffin was pitched; but whether the blanket he was put in was pitched I cannot say; I did not see him put in.

You say, Hibberd called for something to sit upon?—He called for Mr. Bridle; he did not say what he wanted beforehand.

Did you hear him ask for the hassocks?—No; he said he was falling, and begged Mr. Bridle to come to him. Mr. Bridle did go to him, and supported him till the hassocks were brought. Mr. Bridle ordered the hassocks.

After the hassocks were brought, and the man sat down on them, you steadied the hassocks until he was turned off?—Yes.

I think you said, that what Mr. Bridle said in his usual tone of voice you must have heard?—Yes.

But what he said to Hibberd, if he did say any thing, you did not hear?—I only heard about the hassocks, and the order was given.

His usual tone of voice is such, that you could hear him at the lodge from the house?—I don't know that his voice is particularly high or particularly low. I have heard when I have been called, but not otherwise. I should know his voice if I did not see him.

Do you mean to say, that it was impossible for him to have said any thing in an under tone of voice, while the execution was going on, without your hearing it?—I think it was impossible he could, unless it occurred when he was on the drop with Hibberd.

Although you were holding Hibberd to prevent him from falling, you are positive that it was impossible that Mr. Bridle could have said any thing without your hearing it?—I don't say it was impossible, if he spoke in a very loud tone when I was upon the platform.

But you are quite sure, that when the hassocks came you held them, and nobody else?—I wont say that I held the man and the top one. Mr. Bridle helped to fix them, and after he came down he put his hand to the bottom one; but I don't think he could till the drop fell.

How long have you been in Ilchester this time?—A week last Wednesday.

Have you been living any part of that time in Mr. Bridle's house?—Yes.

The whole time perhaps?—No.

Have you been living there the last week?—I have been sometimes here and sometimes out.

But you have been principally here?—Yes.

You have eat and drank in Mr. Bridle's house without considering it any bribe?—Certainly.

Perhaps you never saw the Charity Book since you left Ilchester, till you saw it in this room to day?—Yes, I have.

Possibly, at this distance of time, you could not have spoken so minutely to this little article, if you had not refreshed your memory with the book?—Yes, I could; I don't know that I read any thing in it. It was only handed to me to know if I could identify it. I don't know that I opened it till I came into this room.

Then this book has been shewn to you, and you never looked at it?—Yes; I opened it and shut it again, but did not read it; I only looked at my own mark.

What was that mark?—My own writing, "Colonel Elford" for a sovereign, that he put into the box. Whether it was a guinea or a sovereign I am not certain; I thought it was a sovereign.

You are sure it was either a guinea or a sovereign?—It was gold.

Why was it afterwards erased?—I can't say, but it was afterwards carried over.

How long was this ago?—June 30th, 1818.

Did you scratch it out?—No.

Then

Then you thought it was a sovereign?—I heard it drop, and put it down a pound; if it had been a guinea he would have said so. *J. Treganza.* (25 June.)

What is the box called that is in the lodge?—The charity box for the relief and discharge of poor debtors.

Were there more than one key to it?—Three keys, I believe.

Do you know who produced them?—I saw two; one was used by Mr. Moody, and one by Mr. Bridle; but whether the other was used by the other gentlemen or not I can't say. I did not see them till they were in the lodge; one was in Mr. Moody's hand, and one in Mr. Bridle's; but how they came there I can't say.

Do you know whether the money was immediately distributed among the poor debtors, or any part of it?—I think coals were given in lieu of money.

What makes you think that?—Because a great quantity of coals were given them soon after.

How soon after the box was opened were the coals given?—I can't exactly speak to the time, but they had them a great number of weeks following.

What they begun immediately?—I can't say immediately; but they lasted as much as ten weeks after they begun.

Who had the money?—Mr. Bridle. The entry was made before the magistrates.

Who did you take the coals of?—I don't know whether Mr. Longbond or Mr. Stuckey; ten ton were brought in.

How long after was it before the coals were brought?—I should suppose within a month.

Other coals have been distributed among the debtors while you were here?—Yes; several times, but not in such quantities.

Do you remember any of that money being distributed among the debtors in money?—I don't recollect its being distributed in money. There were a great many debtors had small sums of money given them while I was here; but whether it was that identical money or not I can't say.

Was it Mr. Evered the sheriff who gave the ten pounds?—Yes, I heard so.

Who were the small sums given by to the debtors?—Mr. Bridle; one was to Dr. Corbyn, a Frenchman; I carried him three shillings at a time three times more or less.

Did you know of any other sheriff giving ten pounds while you were here?—No; I don't think there was any money given by a sheriff while I was here.

This book, when you were here, used to lay on the charity box?—Yes.

Who had the keys afterwards, you don't know?—No, I never saw them before or since.

That was a general election when the meat was given?—Yes; it was when Sir Thomas Lethbridge resigned.

Do you remember Mr. Bridle having a large party the day he resigned?—I don't know that he had; I don't remember that he had; I am sure he had not.

Perhaps you don't remember Mr. Langdon dining here some time then about?—No, I do not about that time. I am sure he did not that day, because Mr. Bridle assisted me in cutting up meat for the men.

Do you recollect Mr. Langdon visiting him at all while you were here?—Yes, several times; but I can't say it was to a dinner party; I have seen Mr. Langdon in and out.

I mean at a time when there was a large party here, when Mr. Langdon was smoking below with Mr. Hobbs, and young Reese was smoking with you at the lodge?—I never saw Mr. Langdon smoke in my life any where; and Mr. Reese never smoked a pipe in my lodge in his life to my knowledge.

At how many times did you bring in the meat at the election?—Three; in a large bread basket, on a truck drawn by two men, on wheels, in three different journies. The basket was between four and five feet long, by two feet six inches wide.

Was there any dancing in the back yard with the music?—Yes.

You are not certain whether it was at election time or club?—No.

You are sure they did not come one time one, and one time a club?—No, not twice within the iron gates.

You are sure Mrs. Bridle sent for the oranges to Wells for a sick prisoner?—The messenger brought them from Wells, and I believe some of the oranges was in his room when he died.

Perhaps the messenger did not go to Wells on purpose for the oranges?—No; I never meant that he did.

You say Halkin was ironed several different ways; what other way was he ironed beside the body irons?—I mean that he was handcuffed with one hand; and I have seen him handcuffed with both hands without the body irons.

J. Treganza. (25 June.)

Were you in the habit of handcuffing the prisoners, when you were here, with their hands behind them night and day?—I have seen it by day but never by night; and I dont think it ever was so while I was here.

Were you in the habit of putting handcuffs on their hands, irons doubled upon their legs together night and day?—No, never.

Was it the practice to put blisters on prisoners heads while you were here, to prevent them from swearing?—No.

Never?—Never in my time.

There was a school where boys were taught to read and write in your time?—Yes.

Men and women had clean linen and stockings during the time you were here?—Yes.

And Mr. Bridle went to church regularly while you were here?—I don't think he was absent, unless when he was from home, ten times in the three years. I recollect his being ill two Sundays while I was here.

But you don't know whether he has gone to church at all for the last year and a half?—No.

You found cause to complain of being kept up late at night?—Yes.

Re-examined by Mr. White.—What was the cause of your sitting up late?—To wait upon the gate when there was company at Mr. Bridle's house, and some out of the house when they were coming home.

Was Mr. Bridle at home on those occasions?—But seldom.

Whose entry is that?—Mr. Hobb's, the taskmaster.

[Occurrence Book, Saturday, 29th March 1817.]

Did Mr. Bridle ever, in your presence, strike a prisoner, or permit his officers to strike a prisoner?—No, never.

Were the other witnesses present whilst you were under examination before the coroner on the inquest upon Ford?—I think Chamberlain and Pike were; but Britton was not.

If there is any difference in the statement you have now made and that which you made before the coroner, does that difference arise from the circumstance of those other witnesses being present at that time?—I don't know of any.

[Adjourned at 7 P. M. until nine o'clock to-morrow morning.

TUESDAY, JUNE 26th, 1821.—The Commissioners re-assembled at 9 A. M.

William Seviour called in; and Sworn.

W. Seviour. (26 June.)

WHERE do you live?—In the parish of Somerton.

You are a farmer?—Yes.

Examined by Mr. White.—Have you ever purchased any manure or straw of Mr. Bridle?—Yes.

How long have you been in the habit of taking it?—About one year and a half ago.

What quantity did you then take?—I hauled one half into Mr. Bridle's field, and had the other half for hauling it.

Have you had any since then?—Yes.

What quantity had you then?—I can't tell the number of loads; I kept no account.

How long had it been gathering together?—About twelve months.

Did you pay any thing for it?—Yes.

How much?—I agreed for four pounds; and Mr. Bridle gave the keep of some sheep, which I valued at another pound.

Have you had any since?—I am taking away some now.

What are you to give for that?—We have made no agreement.

What is the value of what you are removing?—It is very light; it may be worth a pound.

The quantity you have removed and are removing is worth a pound?—Yes.

Do you think you gave the full value for what you had before?—I think four pounds more than the value, if I had not had the keep of the sheep.

John Wyatt called in; and Sworn.

J. Wyatt.

Where do you live?—At Blayden.

Have you been a prisoner in this gaol?—I have.

What were you imprisoned for?—An assault; my wife swore the peace against me, and I could not give security.

When did you leave the prison?—On the 10th of April last.

How

How long were you here?—Twelve months.

J. Wyatt. (26 June.)

Examined by Mr. White.—What situation of life were you in before you came into the prison?—A labourer; but I am a carpenter by trade. But I work at any thing I can get to do.

What part of the gaol was you in?—The felons ward, the first four days; and then I was removed to the misdemeanor ward, behind.

How long were you there?—Till the arrival of Mr. Hunt, at the latter end of May.

On the arrival of Mr. Hunt, where were you removed to?—To Mr. Hunt's ward.

For what purpose?—I understood to wait on him.

How long did you stay in that ward?—Until the 6th of February; nearly nine months, I believe.

On what bed did Mr. Hunt sleep while you were with him?—On a feather bed.

During the time you were with Mr. Hunt did he sleep upon a straw bed?—In the first instance a straw palliasse was used, but a feather bed a top of it.

What was the kind of bedding that he had?—I considered it sufficient for any person whatever.

Did Mr. Bridle ever visit Mr. Hunt's ward whilst you were there?—Repeatedly.

How often?—I have seen him there two or three times a day, in the first instance, to give orders; after the first week Mr. Bridle went to London, the day after Mr. Hunt came, and staid a week.

When Mr. Bridle was at home how often did he visit Mr. Hunt's ward?—In the first instance two or three times a day; and afterwards very often; and sometimes he came when I did not see him.

Was Mr. Bridle attentive to Mr. Hunt's wants, or regardless of them?—More attentive than I ever saw paid to any person in my life, under any circumstances.

Did Mr. Bridle ever say any thing to you, or give any direction with regard to Mr. Hunt?—Repeatedly gave me orders to point out any thing I could which should render comfort to Mr. Hunt.

Did Mr. Bridle ever reprove you for not attending to his directions?—I had given the directions Mr. Bridle gave me to the taskmaster, and their not being complied with, Mr. Bridle reproved me, because they had not been complied with; the taskmaster refused to take such orders.

Do you recollect any other occasion on which you were reproved by Mr. Bridle?—Repeatedly; I have been reproved for neglect, not having things put in their places that Mr. Bridle had ordered.

What things do you mean?—First the fastening inside the door I can remember was one; shelves in the pump house.

Are you speaking of Mr. Hunt's door and pump house?—Exactly so.

Was Mr. Hunt accommodated with glasses, washhand stands, basons, and other necessary articles for his use by Mr. Bridle?—Yes, for some length of time.

Did you ever hear Mr. Hunt speak of Mr. Bridle's conduct?—Most highly.

What did he say, any thing of him?—He spoke highly of him, as every one does who receives a good turn from another.

Up to what period did he thus speak of Mr. Bridle?—Till after the order made by the grand jury at Wells, in August last.

What did he say or do then?—He exclaimed then as much against Mr. Bridle, by saying he was the instigation of that order being put into execution.

Did he use any particular expressions that you recollect?—He declared he would stand at nothing to ruin Mr. Bridle, and that Mr. Hobbs should be the governor of this gaol.

Did Mr. Hunt ever say any thing to you on the occasion?—Repeatedly talked about it.

What did he say?—He always blamed Mr. Bridle for being the instigation of that order.

What was the effect of that order?—For the removal of Mr. Hunt's family.

Did you ever hear Mr. Hunt speak to Mr. Hobbs on the subject?—I can't say that ever I did.

Did you ever go to the chapel with Mr. Hunt?—Once.

Did he go to chapel but once while you were here with him?—Only once.

Did Mr. Hunt make any observation on his return from the chapel?—He said he would as soon have been placed in the stocks as to have been there.

What was Mr. Hunt's beverage?—Generally water.

From whence was it taken?—Mr. Bridle's pump.

What did he say of its quality?—I never heard any fault found.

Have you ever heard Mr. Hunt's friends speak of the water in Mr. Hunt's presence?—Repeatedly.

What did they say of it?—Said it was clear and good.

How long did Mr. Hunt use that water?—During the time I was with him, after the first two or three days.

Were you ever put into confinement while you were here?—Yes.

J. Wyatt.

(26 June.)

At whose instance?—Mr. Hunt's.

Did Mr. Hunt say any thing on your release?—Yes; he wished me to petition the House of Commons against Mr. Bridle.

What was Mr. Bridle's conduct to the prisoners while you were here?—Humane in every respect.

Did you ever hear them complain of his conduct?—Always on the contrary.

Did you attend divine service at chapel while you were here?—Every Sunday, except three or four.

Was Mr. Bridle in the habit of attending his duty at the chapel?—Repeatedly.

Did you ever see Mr. Bridle drunk while you were here?—Never here, nor any where else.

Was he in the habit of swearing?—I never heard him.

Do you remember a prisoner named Hilliard?—Perfectly well.

Do you remember his being in confinement?—I do.

Did you speak to him on that occasion?—Repeatedly.

What did you say?—I saw him the day after Doctor Colston and two other magistrates came to the gaol; I saw him then in irons; I asked him why he did not make proper contrition to the magistrates to release him from his confinement, upon which he said damn and b——r his b——y eyes and limbs if ever he would make any sort of contrition to any b——r whatever, and say and made a great noise so as to occasion the officers to come to know what was the matter.

Have you been present when his handcuffs were taken off?—I was once.

Did his wrists appear swoln or raw?—No more so than any other; there was friction where the iron had touched the hand, but no wound at the time I saw him.

Cross-examined by Mr. Hunt.—How long have you been in Ilchester?—I think nearly three weeks.

You and I were very good friends at first, but we quarrelled at last?—I did not quarrel with you.

Then I quarrelled with you?—You did.

Do you recollect the last words you said to me when Mr. Pike was present, and you were leaving the ward?—I do not.

Do you recollect our first meeting?—Perfectly well.

What was the other man's name that was with you?—Emery.

You two were standing in the gaol dress in the bed room?—Emery had not, but I had.

Do you recollect Mr. Bridle bringing me up into the room?—Very well.

Do you remember his pointing me out my place of rest?—I do.

Was not that upon a gaol bedstead, and a gaol straw bed?—It was.

Do you remember, upon my feeling it, my asking whether I could not get a feather bed for love or money?—I do.

I believe the answer was, that Mrs. Bridle would provide me one for half-a-crown a week?—It was.

And at my request, I believe, you and the other man went back to your cells, I wishing to be left alone?—Yes.

Did you ever understand that Mr. Bridle, or rather Mrs. Bridle, charged me four shillings a week for the bed, wash-hand stand, pots and things that were in the room?—The first bed was charged half-a-crown a week; that was removed, and a large bed and bedstead, wtih hangings, were afterwards in its place.

You saw the bills, I suppose?—You spoke of it.

At the time that the glasses and things were supplied by Mr. Bridle, perhaps you know I paid him four shillings for my dinner, and one shilling and sixpence for my breakfast and tea each day?—I heard you say that was the charge; but it was afterwards reduced.

Did you understand that Mr. Bridle charged my family, Mrs. Vince, Miss Gray and my son also four shillings per head, when they dined with me?—I have heard you say so.

Have you heard me complain of it?—I have; I heard Mr. Hunt say afterwards that it was reduced also.

Did you understand, either by seeing the bill, or hearing from me, that the whole bill was twenty pounds eighteen shillings, and was reduced to thirteen pounds fifteen shillings?—I heard you say so.

Was I in the habit of asking you, when you returned from chapel, whether Mr. Bridle was at chapel or no?—Repeatedly.

As you reported, did I set it down in this book?—I can't say; I think I have seen you do it once or twice. I frequently answered, that Mr. Bridle may be at chapel, and I not have seen him. Always when I saw Mr. Bridle I told Mr. Hunt so.

Do you know that hand-writing?—Yes; it is mine.

Was it a copy of a letter that I sent to the under-sheriff?—I believe it was.

And at the bottom is written "Bravo," that, I believe was not in the letter?—No; it is mine.

Do you recollect the subject of the letter?—No.

What

J. Wyatt.
(26 June.)

What did you mean by writing bravo?—I wished Mr. Hunt well, and I thought that would serve him.

Do you recollect frequently asking of Pike for a Bible before you could get one?—I was without it a fortnight. When Mr. Pike brought me a Bible, which proved to be Mr. Davis's own property, he took it away, and I had to apply for another, which was soon after brought me, and I had it till I went out of the gaol.

But did you not frequently complain, in the hearing of me and Mr. Kinnear, that you could not get a Bible?—I did.

Do you recollect complaining of the small number of Prayer books that were at the chapel?—Yes.

Did you ever observe that there were but four Prayer books for the use of the congregation at chapel?—Only that part of the congregation which I could command with my eye.

I believe, for the first seven weeks, I was not allowed to walk in the factory yard till Sir John Acland came?—Not till then.

Do you remember Mr. Cozens coming to visit me on a Sunday?—Perfectly well.

I believe, at that time, I was only allowed to see my friends three hours a day; the visiting hours?—No oftener at that time.

Mr. Cozens had come out of Wiltshire to see me, I believe?—Yes.

Did he, at that time, come in while I was at dinner, between three and four o'clock, with his son?—On a Sunday, at that time, he did.

When four o'clock arrived, do you remember my making application to Mr. Bridle that he might remain ten minutes or a quarter of an hour longer?—I do.

Do you remember the answer I received?—That it was against the rules of the prison.

And he was obliged to turn out immediately?—Yes.

And after that you have heard me speak highly in praise of Mr. Bridle?—I have seen you give him presents after that.

When I had a brace of hares I used, I believe, to give Mrs. Bridle one for dressing the other?—The first hare you had you gave to Mr. Bridle yourself for his own use.

Afterwards I had other hares?—Yes, repeatedly.

I frequently had hares dressed at Mrs. Bridle's, and gave them hares for dressing them?—Yes; two or three.

During the time you were with me, was there any drinking to excess in my rooms?—Never.

I was in the habit, while you were there, of having Mrs. Vince and Miss Gray to visit me?—Yes.

While they were there, had you not free access to my room?—Yes; excepting in one case.

What was that?—When you ordered me never to come into the place again.

That was when you and I had some words?—By no means.

What was it then?—I had been cleaning down the stair case; and opening the stairs door, Mr. Hunt was very angry with me; and told me I was a dirty son of a bitch, and never to enter the place again. He afterwards wrote me a note, saying how much I had irritated him.

That was about the time we were parting?—No; it was the time the ladies were with you, and I was not admitted for ten days to your room; then Chidley, a fellow prisoner, waited upon you.

Did you ever see any improper conduct in either of those ladies when they visited me?—I saw Miss Gray sitting on your knee, on my opening the door suddenly, for which you ordered me out of the room, in great haste.

Have you not repeatedly seen her sitting upon my knee when you were present?—Never, but that once.

And that you thought improper conduct?—You were angry with me; and swore at me a great deal for having come into the room.

That might be improper in me; but did you ever see those ladies act improperly at all?—Never in my life.

How did it happen that you were put into solitary confinement at my instance?—A person named Handover had called in the course of the day to have a bill settled with Mr. Hunt.

Had you been out through the factory for something?—Yes, for Handover.

Was that with Mr. Kinnear's knowledge and mine?—I was to tell the man to come to settle the bill.

But had Mr. Kinnear or me sent you out of the yard to Hobbs for any purpose?—I was to tell the man to come; I thought he was at Hobbs's; I ran to the door; was not gone a minute; never went in doors; Mr. Hobbs came and reported to Mr. Hunt that I had been in his house amongst the women. Mr. Hunt spoke to me about it next morning, and said, Mr. Bridle would confine me for it; and wished me to say that I should not have been in the factory yard at all had not Mr. Pike the turnkey given me leave; my not saying that he did give me leave; Mr. Hunt said I was a dam'd liar, and ordered me to leave the room; I was then confined for twenty-four hours.

J. Wyatt. (26 June.)

How did you make it out, by this, that it was at my instance?—Because you and Mr. Hobbs consulted about it previously.

Hobbs came and reported you to me; I endeavoured to find an excuse for you, and abused you because you would not excuse yourself; and yet I was the cause of your being locked up?—It appears so to me.

I believe I was angry at your going into the factory yard and getting into a scrape by it?—I was not locked up until two days after the impropriety had been committed.

Did any body tell you I was the cause of your being locked up?—I had every reason to think so, on account of Hobbs and you consulting previously.

No body ever told you so?—Your repeated abuse, at that time, induced me to think you wished to get rid of me; you often wished me to leave.

Did Hilliard make use of those expressions in the presence of any body but yourself, or in the presence of an officer?—He did not in the presence of an officer.

I believe you used to profess to Mr. Kinnear and me, that you were under the influence of the moon; that is, whether you had not been deranged?—I have considered that you were mad one half the moon, and me the other.

You say that upon your oath?—Yes.

Then you admit that you were mad half your time?—Upon my word, your conduct at times drove me to do that which I never before had done; for without any provocation, you would so grossly abuse me, that I have shed hundreds of tears, which I never did before.

Before you knew me, were you in your right senses when you made an attempt upon the lives of your wife and child?—I have no recollection of what happened at that time.

Do you recollect a fancy dress that you proposed to wear when you went out of prison?—Yes; Mr. Hunt's friend having given me a pair of green spectacles, I said a cocked-up hat and a wig would look conspicuous.

And a green coat, was that it?—Certainly.

Mounted upon a white bull?—Yes.

And so you proposed to ride through the country, I think?—Yes; my reason was for wearing such a dress as that, was being one of John Bull's own sons, I thought I could not shew myself to better advantage.

Had you unfortunately been addicted to drinking, before you had misfortunes?—I had.

[At this period of the examination, Mr. Hunt was about to put to the witness other questions, to shew the disordered state of the witness's mind; but the commissioners thought it advisable to close the examination, although the gentleman conducting the defence for Mr. Bridle, expressed a wish to prove on the examination, other facts arising out of the cross-examination, which he considered would be material to his client's case].

John Goodford, Esquire, called in; and Sworn.

J. Goodford, Esq.

I believe you are a magistrate of this county?—Yes.

Residing where?—At Yeovil, about five miles from Ilchester.

Examined by Mr. White.—How long have you been a magistrate for this county?—I think I qualified in 1807.

Were you soon after that appointed a visiting magistrate of this gaol?—I really cannot say exactly when I was first appointed a visiting magistrate.

Can you state nearly how many years you have acted as a visiting magistrate?—Since the year 1815; I have been frequently in the habit of acting as a visiting magistrate; perhaps I have occasionally acted as a visiting magistrate before that period.

Have you, from time to time, when you have visited this gaol, observed the state of the prison and the prisoners?—I have.

What has been that state, as far as cleanliness?—I have never had occasion to find any fault in that respect, except on one single occasion, which is recorded in the Magistrates Journal; it was at a gaol session.

Can you speak of it from recollection?—Yes, I can, but not as to particular facts; I can speak as to the general impression of the want of cleanliness in the gaol at that time.

Do you recollect the date?—No, I do not; it was in Mr. Bridle's absence.

Can you tell nearly how long ago it is?—No, I cannot; there is an entry in the Journal of the gaol sessions, and I know there is a correspondent entry in the gaoler's Occurrence Book.

Do you know why Mr. Bridle was then absent?—No.

Do you know who had the care of the gaol during Mr. Bridle's absence at that time?—I do

I do not know that the taskmaster was absent, and therefore I take it for granted, that he had the care of the gaol during the time. *J. Goodford, Esq.* (26 June.)

Did you remonstrate with the governor on finding the gaol in that state?—I don't recollect that I did; the impression upon my mind is, that the governor was absent at the time of the gaol session; I find however on recurring to the journal, that the governor was at home; and I have no doubt, from examining the minute, that he was remonstrated with. I don't mean to say, that I may not have spoken to Mr. Bridle when I have met with an instance of accidental want of cleanliness, which I have thought not of sufficient importance to be entered in the journal.

I believe you are not in the habit of attending the assizes and sessions constantly?—The assizes I always attend, when the state of my health does not prevent me; the sessions I do generally, not constantly.

On those occasions, what has been Mr. Bridle's conduct with regard to the duties of his office?—At the assizes and sessions, I have never seen any thing but what was perfectly correct in his conduct.

When you have visited the gaol, has Mr. Bridle been in the habit of going round with you to the different parts of the gaol?—Not always; but from personal infirmity, I have not been able to walk round the gaol so often as I could wish.

When he has done so, have you observed any restraint upon the prisoners in speaking their sentiments to you, in consequence of his being present?—I was not aware of any restraint; but I have considered Mr. Bridle's manner sometimes rather too abrupt and sharp to them.

If they had been about to state any grievance to you, has he ever interposed and prevented their doing so?—I have not known him interpose to prevent them; but I have thought a little more conciliating manner might sometimes have induced them to speak out more fully.

What has been Mr. Bridle's general conduct as gaoler since you have known him, as far as it has come to your knowledge?—Wishing most studiously to keep out of sight any opinion which I may have formed in consequence of the late investigation before the magistrates, I have known nothing that could induce me to speak unfavourable of him, with the exception, I before stated. That abruptness of manner I spoke of, I have sometimes felt extended also to the magistrates, and have mentioned it to other magistrates.

Have you ever had reason to suspect his honesty and integrity?—Certainly not.

Cross-examined by Mr. Hunt.—The opinion that you have given of Mr. Bridle, arises from your observation previous to the late investigation?—Undoubtedly.

With regard to the complaint that you recollect to have made at the gaol sessions respecting the uncleanliness of the gaol, he appears to have thrown the blame upon the taskmaster, according to the entry in the Magistrates Journal, in consequence of his (Mr. Bridle's) absence?—From the journal, it appears upon the taskmaster; but, from what I recollect of the gaoler's Occurrence Book, it was upon the officers generally.

He appears to have been at home the whole of the day before?—It appears from the entry of that day's transactions in the Occurrence Book, which is partly in Hobbs, the taskmaster's hand-writing, that Mr. Bridle returned on Wednesday 5th April.

Looking at the gaoler's Occurrence Book in its present state, is it such that you can speak upon in giving your evidence with confidence?—Looking at the large intervals between the entries and the entries that appear to me to have been made subsequently to the original time of entering the occurrence, I cannot speak with confidence from that book.

Perhaps, then, without the assistance of that book, you cannot speak to the particular circumstances that occurred relating to the uncleanly state of the gaol?—Not further than from having a general recollection of them as a circumstance that was impressed upon my memory, from no such entry having been before made in the Magistrates Journal.

As a magistrate of the county, did it ever come to your knowledge that stocks, in which to place women and boys, were kept in the gaol; I mean up to the late investigation?—Never, till that time.

Was it with your sanction, as a magistrate, that prisoners were handcuffed with their hands behind them, day and night?—Most certainly not, day and night.

Did you ever, as a magistrate, sanction the applying blisters as a punishment?—I should have thought myself unworthy to have held the office of a magistrate if I had sanctioned it.

[Magistrates Journal, 12th September 1815.]

Till recently had you any reason to believe that that order was complied with?—I had not; or should have expressed my most unqualified disapprobation of the gaoler's disregard of it.

Has it come to your knowledge, that that order has not been complied with?—I know that it has been disobeyed.

Was it with your knowledge or concurrence that bands of music have been brought into the gaol, and dancing therein?—Certainly not; I should not have concurred in or sanctioned any thing of the kind.

J. Goodford, Esq. (26 June.)

Re-examined by Mr. White.—Do you recollect, on Mr. Bridle's return, at the time you referred to from the Occurrence Book, how many prisoners he brought back with him from the assizes?—No, I do not.

The order you made on the 12th September 1815 was founded upon a circumstance noticed at that time; had you any reason to believe that there were any inaccurate entries made in the Occurrence Book?—My reason for referring to the Occurrence Book in this instance was, that I did not wish to put so gross a circumstance upon record in the Magistrates Journal. An actual investigation of the facts took place before myself and Mr. Whalley. At that time I had no reason whatever to doubt the accuracy of the general entries in the gaoler's Occurrence Book.

Will you state how you know that that order has been disobeyed?—I know it from personal enquiry, made on the 9th of this month, from a boy and a man confined in the misdemeanor ward.

Was that examination on oath?—No. May I be allowed in justice to myself to say, that it was asked when a great many prisoners were around, and no one of them contradicted it.

Examined by the Commissioners.—The Occurrence Book, we are told, ought to be a faithful record, kept by the gaoler, of all the transactions in the gaol. From what you have seen of that book, are there such inaccuracies in the mode of keeping it, that prepare you, as against the gaoler, to believe that it may be a faithful record of transactions, but no good evidence of entries made in his favour?—It ought to be a faithful record of what occurs in the gaol, kept by the gaoler, or, in his absence, by the taskmaster or officers in command. I should not call them inaccuracies, but should term them such interpolations and omissions as would prevent me from receiving the entries as conclusive evidence in behalf of the gaoler.

[Adjourned at a quarter past 2 P. M. until a quarter past 3 P. M.

The Commissioners re-assembled at that time.

John Newman, Esq. again called in; and Sworn.

J. Newman, Esq.

Examined by Mr. White.—How long have you been a magistrate of this county?—Twelve or thirteen years.

How long a visiting magistrate of this gaol?—I think nearly the whole of that time. I stated before eight or nine years, but I am sure it is longer.

When you have visited the gaol, has Mr. Bridle been in the habit of accompanying you round the gaol?—Yes, when he has been at home.

Have you observed any restraint upon the prisoners in consequence of his presence?—I never have.

Has he ever interposed when they have been stating any grievances?—I do not recollect that he ever did.

Have you been in the habit of attending the assizes and sessions for this county?—Occasionally I have.

From the observations you have made, what has been Mr. Bridle's conduct as gaoler?—Up to the time of the investigation, I always considered him an active and vigilant officer, and a humane man.

During your visits here as a visiting magistrate, what has been the state of the gaol as to cleanliness?—I have been particularly struck frequently with the cleanliness of the wards and cells in the prison; and have often remarked it when I have been here, and the same with regard to the prisoners. I never observed much dirt about them, except those who have been at work.

What has been Mr. Bridle's conduct as to honesty and integrity?—I never heard any thing against him until the investigation took place. Certainly not, neither one way nor another.

Have the Occurrence Book and Magistrates Journal always been open to your inspection when you have been here as visiting magistrate?—Yes, they have.

John Thring, Esq. called in; and Sworn.

J. Thring, Esq.

I believe you are a magistrate of this county?—Yes.

Do you reside near this place?—I reside at Alford, about nine miles from hence.

How long have you been a magistrate of this county?—About six years.

During that time have you ever been visiting magistrate of this gaol?—Yes, one quarter.

It is the practice to appoint the visiting magistrates at every quarter session?—Yes.

Examined by Mr. White.—How long ago were you visiting magistrate?—I was appointed in January last.

For the following quarter?—Yes.

Have you ever served on the committee of magistrates for the gaol?—Yes; what is called the gaol session.

What

J. Thring, Esq.
(26 June.)

What has been Mr. Bridle's conduct as gaoler since you have known him?—I always considered him a very correct man. The gaol appeared to me to be in extremely good order, and very clean. And I have heard him spoken of as being a very humane man.

What has been his conduct as to honesty and integrity?—I never heard any thing against either his honesty or integrity.

Have the Occurrence Book and Journal always been open to your view when you have attended as visiting magistrate or in committee?—Always; the fact is, I only attended twice or three times as visiting magistrate.

Have you attended often at the gaol sessions?—No, not often.

Cross-examined by Mr. Hunt.—You only attended twice as visiting magistrate?—I believe only twice or three times.

And nothing occurred at either of those times that caused you to doubt the integrity of the gaoler?—No.

Perhaps then you do not recollect a flat contradiction by the taskmaster, given to an assertion of Mr. Bridle's to the magistrates?—I don't recollect the taskmaster and Bridle being before us at either of the times I attended as visiting magistrate.

Perhaps you do not recollect a complaint made by me against Bridle, for having muffled a bell that the magistrates had granted me the use of?—Yes, I do.

Possibly you may recollect the excuse he made to you upon his being called to account for it?—I know he made an excuse, but I do not recollect what it was; we ordered the use of the bell to be restored.

Perhaps you may recollect that he said he knew nothing about it, and that it was done by the taskmaster without his knowledge?—No, I do not recollect that.

Possibly then you may not recollect Hobbs being sent for, and questioned about it by you and your son, and Doctor Colston?—I do not recollect it.

You don't recollect his saying, on being asked that he had muffled the bell by Mr. Bridle's order?—No; I have no recollection of Hobbs being in the room.

You don't recollect upon my wishing to persevere in the matter, your son saying, "Come, come, we must support our own officer, you will be very well satisfied with our "decision, Mr. Hunt, we shall order the use of the bell again?"—No, I do not.

This was on 13th February, perhaps you may recollect that?—I don't know the day, it was in February.

Perhaps you may know that it was the day that the new sheriff, Mr. Hanning, was sworn in?—I don't know what day Mr. Hanning was sworn in.

Perhaps you know that Sir Charles Bampfylde was out of office that day?—I considered him out of office from having seen the appointment of a new sheriff.

Did you make this order [*Magistrates Journal, 13th February* 1821] relative to the exclusion of female visitors from me and Mr. Kinnear, with the knowledge or concurrence of the sheriff?—No, we had not seen him.

Had you ever seen the order of Sir Charles Bampfylde in the book?—Yes, I had.

As visiting magistrate, you made an order doing away with an order of the late sheriff, and without the concurrence of the new sheriff?—The order speaks for itself; I did it as visiting magistrate.

Do you recollect when I complained about the water, that your son said it was very good for culinary purposes?—I recollect your pumping, and the water coming up first clear, and afterwards foul; something was said of its being good for culinary purposes, whether by my son or not I don't know.

Perhaps you have seen the defect since?—I have seen it this day, and not before.

[Magistrates Journal, 13th February, 1821. "Ordered that James Hilliard," &c.

Of whom did you learn that this man had misconducted himself?—From the Occurrence Book, and from the gaoler.

Did he manifest any pertinacity before you and the other magistrates?—No; there were two men brought in, one of whom appeared very sorry for his misconduct, and we ordered him to be discharged. Hilliard did not say any thing in justification of himself. The charge, I think, was for assaulting a constable, or something of that sort, I believe, for swearing violently and damning the magistrates, and the gaoler, and the people altogether. He said nothing, did not deny the charge, and shewed no contrition, and Doctor Colston said he must be removed, and I think he applied to me, and I concurred in the propriety of his being remanded, but that as soon as he shewed any marks of contrition he should be discharged.

You said he did not deny the charge; perhaps, if he had, you would have had no proof to the contrary?—If he had, we should of course have made further enquiries.

Did he say any thing offensive to the magistrates?—No; I have no recollection that he said any thing to the magistrates.

But the gaoler told you he had been damning him and the magistrates altogether, and you sent him back into confinement?—In the manner I have stated.

J. Thring, Esq.
(26 June.)

And you record these orders in the Magistrates Journal, that those who come after you may know what you have done?—It has been always usual for the magistrates to record what they have done, and therefore we follow the example of our predecessors.

Do you mean that, by entering such an order as that, you follow the example of your predecessors, by omitting to record the odious part of it?—I was not aware of there being any odious part in the business; I acted according to what I conceived my duty as a magistrate, without any design whatever, but merely to discharge my duty.

You are speaking now as to recording that order?—I am speaking generally of the whole transaction; and I declare that, in every act as a magistrate, I have strictly followed the dictates of my conscience, and I will go further and say, in every act of my life, and that without favour or prejudice to any person whomsoever.

My question was as to this short order respecting Hilliard, was solitary confinement all the punishment you ordered the man?—Yes.

You was formerly in the law?—Yes.

Do you mean to say, that you ordered the man no other punishment than solitary confinement?—Yes; he was to be continued in the way that he had been before in solitary confinement.

Was there not some other punishment alluded to than solitary confinement?—No; I have no recollection of there being any other punishment, nor do I believe that there was any ordered.

If you had seen a human being, with irons doubled upon his legs, and handcuffs, and chained from the fetters to the handcuffs, should you have forgotten that?—Possibly I might not have observed it, and then of course I should not recollect it. The men who were brought in were both in irons, but I did not observe the mode in which they were ironed, or that there was any difference between their irons; I made no observation respecting the irons; they both walked into the room together.

Then you do recollect they were in irons?—Yes.

I believe this was the first time you had ever attended as a visiting magistrate?—I believe it was.

And did it not occur to you, to inquire whether it was usual to place men in that situation?—Certainly not; I had seen men brought in in irons when I have attended at gaol sessions, but I never remarked the kind of irons.

Can you say that the man was not in the situation I have described?—No, I cannot; I did not observe him; he might have been chained in the way you describe, but I did not see it.

I believe you were accompanied that day by your son and Doctor Colston, two clergymen of the Church of England?—Yes.

And neither of them drew your attention to the situation of this man?—No; they made no remark of the kind to me, nor was any remark made in my hearing.

If the prisoner was chained and manacled in the way I have described, you sent him back into solitary confinement then without ordering him to be released from such torture?—We sent him back certainly, in the way in which he appeared before us; but as soon as he should shew any marks of contrition he was to be released generally.

Then you did order him some other punishment besides solitary confinement?—No; we did not.

Did not you order him to be continued in his chains?—We ordered him to be continued; there was nothing said about chains.

And therefore as you said nothing about chains, is that the reason that you entered nothing about the chains?—The chains never occurred to me.

And that was the reason that you mentioned nothing about fetters or handcuffs?—We thought nothing about chains, or fetters or handcuffs; nothing of the kind was thought about. It did not occur to me, either one way or the other, about chains.

If it did not occur to you then, perhaps it occurred to you after you got home upon your pillow?—No, it did not; I conceived I had done nothing but my duty; I never thought of the subject afterwards.

I see that the next time you visited the gaol was the 5th March?—Yes.

And for aught you know, this poor creature might have remained in solitary confinement handcuffed, ironed, and chained, hands and legs together, till this time?—I don't know that he was in the way in which you have described in the first place; but, in the next place, suppose he was, he was ordered by us to be released as soon as he shewed any marks of contrition, and of course we supposed that he would.

Did you make any inquiry about him on the 5th March?—No; I do not recollect that I did.

Did you learn, that that also was the practice of those that went before you?—I learnt nothing about it; I don't know that it occurred to me at all.

Do you mean to say that, as a gentleman—a magistrate, who has acted conscientiously the whole of your life, that a fellow creature, placed in such a situation, could be brought into a room where you were sitting as a magistrate, without exciting your particular attention?—

tion?—I mean to say that, brought in with the charges against him, which he did not deny, he ought to be continued until he should shew some marks of contrition.

J. Thring, Esq.

(26 June.)

But you sent him back in that state, and have never inquired after him since?—No, not that I recollect; I visited the gaol but once afterwards. I thought it was the gaoler's duty to make any representation, and as Doctor Colston lived so much nearer than me, that he would have sent to him.

Then you did not consider, perhaps, that when you were appointed a visiting magistrate, it was your duty to protect the prisoners from any unnecessary punishment, or any torture that the gaoler might be disposed to inflict upon him?—I never heard of any torture; and if it had happened as we went round the gaol, and inquired if the prisoners had any complaints, of course they would have told us.

Did you want any better evidence than that of your own eyes?—I had no evidence of my own eyes of any torture; nor was any complaint made by any of the prisoners to me.

Then perhaps you would not consider a man chained in that manner for nine or ten days and nights, that it would be any torture?—I cannot describe any manner that the man was chained.

My question was, whether a man so chained and fettered, was continued in that state eight or nine nights, would be in a state of torture?—I do not know; it might be extremely painful, but whether it would come under the denomination of torture, I am not prepared to say.

Perhaps you and your brother magistrates had been so taken up in making the preceding order for excluding females from visiting myself and Mr. Kinnear, that what you witnessed relative to Hilliard, appeared of a trivial nature?—Our minds were not taken up, at least mine was not, with regard to the former order. We thought this man, having been guilty of a great offence, ought to be continued, as I before stated.

You thought Mr. Bridle a very humane man?—I always heard he was, and considered him to be so.

Therefore you left such little things as these to his discretion?—Of course; he was directed to be discharged as soon as he shewed any marks of contrition.

And you returned home, feeling that you had done your duty, and never thought any thing more of the one order or the other?—I returned home, feeling I had done my duty, and I think so now.

Was it not your duty to record faithfully in this book the whole transaction, without concealing the irons, the handcuffs, and the chain?—I had no idea of concealing any thing.

How came you not to state the odious part, that is, the tortures, the irons, the handcuffs, and the chain?—I said before, that I did not know of any torture; I had seen them brought in in chains at the gaol session, but in what way I did not observe.

Then you took it for granted that it was right, and made no inquiry of your brother magistrates?—I made no inquiry, certainly.

You practised many years as an attorney?—Yes.

Of course you know that the law of England prohibits torture on prisoners?—Certainly.

Re-examined by Mr. White.—Do you recollect when Hilliard was discharged from custody?—No.

Examined by the Commissioners.—Did you intend, by that order, that Hilliard should be continued until he shewed marks of contrition, but when he did appear at all contrite he should be released, and entirely restored to liberty in the prison?—Yes, clearly so.

If then he was released from solitary confinement and from handcuffs on 21st February, but was continued at his work, with the double-irons on his legs, until the 5th March, was that consistent with what was intended by your order of the 13th February?—No, certainly not.

Was there any investigation of the charge against Hilliard except the bare statement of the gaoler?—No; I think there was a turnkey in the room.

Was the constable, whom he was said to have struck, examined?—No; the man not denying the charge, the constable was not brought in.

Did he confess the charge?—I don't recollect that he said any thing upon the subject.

And there was not any observation made by any person present respecting the irons?—No.

Do you remember visiting the gaol on the 5th March?—Yes.

Do you remember whether Hilliard was brought before you on that occasion?—No, I don't think he was; we went round the gaol into every ward, and inquired if there were any complaints, and none were made.

In visiting the wards, did you see Hilliard among the other prisoners?—No; I don't know that I should know him again if I saw him.

And it did not occur to you, in consequence of the state you left him in, to make any inquiries respecting him?—No.

The Rev. *William Hungerford Colston*, D. D. called in; and Sworn.

Rev. Dr. Colston. (26 June.)

I believe you are a magistrate of this county?—I am.

How long have you been an acting magistrate of the county of Somerset?—I should think nearly twenty years.

During that time have you been occasionally a visiting magistrate of this gaol?—Often.

Examined by Mr. White.—When you have visited the gaol, has Mr. Bridle been in the habit of attending you round the gaol?—Frequently.

On those occasions has his presence imposed any restraint on the prisoners?—I never observed it.

If they had stated any grievances to you, has he interposed, and endeavoured to prevent it in any way?—Quite the reverse; he always wished to have them investigated.

What has been the state of the gaol and the prisoners with regard to cleanliness?—I think I have generally expressed my satisfaction at the cleanly state of the prison in general.

Do you mean in that to include the prisoners?—I cannot say that I made that observation with regard to the prisoners as I did to the gaol.

Have you been in the habit of attending the assizes and sessions for this county?—Frequently.

On those occasions, as well as on those of your visiting the gaol from time to time, what has been Mr. Bridle's conduct as gaoler?—Very attentive to his duty.

What has been his conduct since you have known him as to honesty and integrity?—I only know Mr. Bridle as the governor of this gaol; but I never heard either doubted before this investigation.

Have the Occurrence Book and Magistrates Journal been always open to your inspection when you have visited the gaol?—The Magistrates Journal, of course, I always asked for. The Occurrence Book I saw whenever I asked for it.

[Magistrates Journal (paper affixed,) 13th February 1821.]

Was that paper signed by Hester Churchus in your presence?—Yes.

[*Paper read.*]

Cross-examined by Mr. Hunt.—Whose writing is the body of the paper itself?—Mr. Gale Thring's.

Was it drawn up in her presence, or was it written and taken to her to sign?—As well as I recollect, she was brought before us, when she was examined by Mr. Thring, his son, and myself, as to her situation in the gaol. She then stated the purport of that paper, and I think, left the room. It then struck us on the propriety of asking her to sign what she had stated; she said she would sign it, and did.

And you, and the two Mr. Thrings, the visiting magistrates, concurred in opinion with Hester Churchus on this occasion?—How do you mean concurred in opinion; of the propriety of her signing that paper; it was a voluntary offer of her own.

The paper being drawn up, you sent for her, and asked if she had any objection to sign it?—And read it again to her, and she said she had no objection to sign it, and she did sign it.

She is made to state here, that she has no wish that a female turnkey should be substituted for the male one, who is in the habit of opening and locking up her cell door every morning and evening, and you saw no impropriety in getting her to sign this paper?—We wished to have her story from her own mouth; in consequence of a petition sent, I think, to Mrs. Fry, we wished to be very particular in taking her examination as to her situation in the gaol, and to learn whether that statement was correct or incorrect; and we wished to know if she would change her situation and go with other female prisoners, or if she was placed there by the governor, taskmaster, or any other person connected with the situation, against her wish; she said she felt herself as comfortable there, as she could in any other part of the gaol, and had received every attention from the governor and all others connected with the gaol.

And from that statement you drew up this paper?—From many other things she said, it induced us to draw up that paper. Miss Churchus was by no means an illiterate person.

Did she positively tell you, that she preferred a male turnkey to open and shut her bed-room door, to a female turnkey?—We particularly asked her that question; her reply was, or words to this effect; "I never saw the person who unlocked the door in the morning, "and when locked up, the person who officiated, used to say, 'good night, Miss Churchus, "do you want any thing before the key is turned;'" and she did not wish to have any other than the common person employed to lock up; she did not express any wish to have a matron, or any other person, as all persons had conducted themselves with so much propriety towards her.

Then as she wished the man to lock up her bed-room door in the evening and to unlock it in the morning, you did not think it necessary to guard against too much civility on the part of the turnkey?—She did not express a wish to have any alteration at all.

Being

Being in a solitary cell and a solitary yard by herself, either of the turnkeys might have slept with her every night for any thing you know?—She was under the governor's key; I was not the gaoler.

Rev. Dr. Colston.

(26 June.)

Had it not come to your knowledge that two female prisoners, Sarah Lawrence and Sarah Hewit, had had bastards in the gaol, who had been under the governor's key?—It had not.

You have been a visiting magistrate at this gaol, occasionally, for the last ten years, and that circumstance never came to your knowledge, two convicts having been got with child and delivered in the gaol?—I never heard of it, to the best of my recollection, till the latter end of the last quarter, when I was visiting magistrate, when I heard that Sarah Hewit, who was brought to bed in this gaol, was a married woman.

And that was all you heard about it?—That was all I heard about it.

Perhaps you did not hear that she had been two years in the gaol before she was delivered?—Indeed I did not know it.

How was such a circumstance concealed from you, a visiting magistrate?—I don't recollect that I was visiting magistrate on the quarter when she was delivered, or that I had been so for two years before that, but it will be seen by the Magistrates Journal, whether I was so or not.

Had you known that two female convicts had been taken into the gaoler's house to act as servants, and had been in succession turned out of the house in consequence of their having been with child; perhaps, although Hester Churchus approved of a male attendant at her bed-room door, you, as a clergyman and a magistrate, would have provided against it?—Yes, I think I certainly should.

But you saw no impropriety under the circumstances, although she was placed in a solitary cell and a solitary yard, in suffering the turnkeys to go to her in preference to the matron?—From her steady appearance and religious habits, as she did not request an alteration, we did not alter it.

And the very same day you made an order to exclude female visitors from the common sitting room of Mr. Kinnear and myself?—No, I don't conceive we made any order, but put in force the order of the Michaelmas sessions before.

In spite of the order of the high sheriff, you made this order as visiting magistrates, which had the effect, at least, of excluding females from the sitting room of Mr. Kinnear and myself?—Exactly so, except your family.

The same day you had a man of the name of Hilliard before you?—Exactly so.

And the same day you ruled it very improper for the matron to pick a pheasant for me, or to get a pie baked for me or Mr. Kinnear, and ordered that it should not be done?—I don't recollect that.

And you don't recollect giving no order to Mrs. Hobbs, to prevent her from making a pie or pick a pheasant, or do any thing else for me and Mr. Kinnear?—I never recollect having the application made to me.

Perhaps you do not recollect my complaining against the gaoler, for having the bell muffled that the magistrates had ordered for me?—I do, and ordered it to be unmuffled.

Do you recollect Hobbs being called into the parlour, on that occasion, when I was there making my complaint?—I think he was; but I am not certain.

Perhaps you do not recollect that, when I complained of this, Mr. Bridle said he knew nothing about it; that it was done by Hobbs, without his knowledge?—I don't recollect that. I recollect you making the complaint, and we sent for Mr. Bridle to learn the cause why the bell was muffled. I think Mr. Bridle said, "We have not a sufficient number of officers in the gaol to be answering bells so frequently rung." And that was the reason, I believe, the bell was muffled.

Do you recollect Mr. Bridle going on and saying, that Hobbs had complained to him that the whole or great part of his time was taken up in answering the bell, and made application to him (Bridle) to have it put a stop to?—I think Mr. Bridle said, that the bell rung at unseasonable hours, when his taskmaster and other officers of the gaol were much wanted about other business. But as the bell had been ordered by a former visiting magistrate, we ordered it to be unmuffled, and that some person in particular should attend Mr. Hunt's bell, when rung. And that is, I think, all that passed on the subject.

Pray, what was Hobbs sent in for?—I don't recollect seeing Hobbs in the room upon any thing relating to this business.

Then you don't recollect Hobbs being called in, and contradicting every thing that Bridle had said, without knowing what he had said before; stating that he had never made any complaint to Mr. Bridle about the bell, and that he never had the slightest reason to complain of me for ringing it?—As well as I recollect, the whole business was adjusted in five minutes, and the bell ordered to be unmuffled.

And you do not recollect young Mr. Thring saying, "Come, come! we must support "our own officer. You will be very well satisfied with our order, Mr. Hunt; we shall "order the bell to be restored;" or something to that effect?—I do not.

Perhaps you recollect the state that Hilliard was in the same day?—I recollect a man, by the name of Hilliard, being brought before us.

And

Rev. Dr. Colston. (26 June.)

And you ordered him, I see by this order, back into solitary confinement?—We did.

And that was all?—We heard the complaint, made by the gaoler and Pike, the turnkey, I think.

What was that?—It was read in the Occurrence Book; I cannot charge my memory; there the circumstance is.

And with that you were satisfied, and sent him back again?—No; it was not.

Please to say what it was.—The complaint was read to him, and corroborated by the testimony of the governor and his turnkey. He made no defence, or shewed any contrition, but appeared quite otherwise hardened; and in consequence of his appearance and his manner, I think I proposed to Mr. Thring, senior, that he should be sent back to the place from whence he came till he was disposed to shew sorrow for his past conduct. I don't recollect that he ever spoke.

Did you ask him any questions?—Certainly; I asked him what he had to say for himself.

Any thing else?—Nothing else; he withdrew, and went with his turnkey to his solitary confinement.

And you heard no more of him afterwards?—I think not, till after he was liberated; I think I ordered his wages to be restored when he went to work.

And you recorded the transactions in this order?—You will observe, gentlemen, this man was only confined in some part of the preceding day before he was brought to us, and I will say, that had he expressed the least sorrow for his past conduct, he would then have been liberated.

[Adjourned at a quarter-past 7 P. M. until 9 to-morrow morning.

WEDNESDAY, 27th JUNE 1821.

The Commissioners assembled at the Gaol, at 9 A.M.

The Reverend *William Hungerford Colston*, D.D. again called in; and Sworn.

(27 June.)

Examination of Dr. Colston by Mr. Hunt resumed.—You have said nothing that happened to this man, Hilliard, except solitary confinement, either in evidence or your order, was there nothing else?—He was ordered back into solitary confinement till he shewed contrition.

Have you any motives in withholding any other punishment that he received?—I have no motive for withholding any other punishment that he received, for I do not know that he received any other punishment.

That is, no other punishment but solitary confinement?—No other punishment but solitary confinement.

Perhaps it was unknown that he was kept with irons on his legs, and handcuffs, and chained the fetters and handcuffs together?—When Hilliard was brought before us, he certainly had irons on, but what irons, or how they were put on, I don't know; but I observed that he had handcuffs. He made no complaint of his irons; and I took it for granted, and I believe it was the general opinion of the other magistrates, that it was the usual mode of putting on irons in the gaol on such an occasion. I never observed that the irons were doubled, as it was represented afterwards. He never complained of the weight, or any inconvenience felt from them.

And you ordered him back in the same state he was in?—We did.

And perhaps never inquired how long he remained there in that state?—I forget the day I visited afterwards. I visited the gaol on the 5th March; and the custom has been ever since I have been visiting magistrate if any person or persons were placed in solitary confinement, they were reported and brought before us; therefore that was my reason for not inquring about Hilliard on the 5th, expecting that he had shew contrition long before the 5th of March; and I think I asked the governor if any one was in solitary confinement, as I generally did.

Perhaps you did not ask him whether he was in doubled irons and chains, as you left him?—In answer to that, when persons are sent from the assizes or sessions into solitary confinement, I believe they are without irons; but I don't recollect ever seeing a man put there by the governor, or taskmaster, or person in command of the gaol at the time, without irons of some description, under the direction of the governor or his dependants. The magistrates never inquired about that; I never did; nor did I hear that others did; but left it to the discretion of the governor.

Then you, having confidence in the governor, and believing him to be a humane man, left the trifling thing of torture to his discretion, you, the magistrates, never interfered in it?—I believe I can solemnly say, torture never would be countenanced by the magistrates, and till this investigation I never heard such a charge laid to him, the governor. We never had a complaint of that nature from any person confined in the gaol; I never had.

I think you stated yesterday that when you went round the gaol, you always took the governor with you; might that not be the reason for those poor fellows not complaining to you

you of torture having been inflicted upon them by him?—To the best of my recollection, I never said the governor went always with me; I said, occasionally he went with me; I frequently called the taskmaster, or one of the turnkeys, in preference to the governor, as I stated yesterday. I have no acquaintance with Mr. Bridle, but as the governor of this gaol; and I should think myself very unworthy of the office of visiting magistrate, if he could influence my mind or warp my judgment; but in justice to the governor, he never attempted to stifle any investigation that was brought before me.

Rev. Dr. Colston. (27 June.)

Was any person brought before you who was a witness to the charge against Hilliard?—The turnkey, Pike, and the Occurrence Book and Mr. Bridle.

Did they state that they were eye witnesses of the transactions of which Hilliard was accused?—They stated what had happened.

And you took their words without making further enquiry?—We did.

And sent the man into solitary confinement, double ironed and hand-cuffed, and chained hands and feet together?—I don't know that it was so. I don't understand how you mean by chained hands and feet together; the man stood upright when before us, and walked in as other prisoners did; and I saw no impediment in his feet; and his hands, I observed, as other prisoners; generally prisoners have a string from his irons, so as to carry them with greater ease. He made no complaint of his irons, otherwise we should have attended to it.

Have you not seen the man in the same situation, and in the same irons as sworn to by Pike in this room since?—I have.

And it struck you as nothing particular and worthy your attention as a visiting magistrate?—Hilliard appeared to be well tutored, and to state the inconvenience; what did not prove to be the fact, for it was represented that the man could not put his hands to his mouth either standing or sitting, which was not the case.

He could put his hands to his mouth when sitting; but could he do so without having the weight of ten pounds iron on his hand and wrists?—On that examination, he put his hands with great ease to his mouth when sitting; and what appeared to me, when brought before us at the late investigation, that he could have relieved his hands or wrists from the weight, by bringing the irons as high as he could up his legs, which would have relieved his wrists of a great proportion of the weight; so it struck me at the time, for had the inconvenience been mentioned to the magistrates at the time he was brought before us on the 13th February, he would have been relieved from any inconvenience of that nature; but he never made any complaint of it.

Then you do recollect now that he had such irons on?—It was brought, as I said before, to my recollection through this investigation, that he had such irons.

You were present; and suffering the man to be sent back in that state, without relieving him from the inconvenience, as you call it, or admonishing the gaoler; does it not appear something like sanctioning him in his practices?—In a place of this description, where the worst of the bad are sent, discipline must be used to keep order.

And that sort of discipline you approve of as a clergyman and a magistrate?—As a a clergyman and a magistrate I approve of discipline tempered with moderation.

My question is, whether you approve of the discipline inflicted upon that man in the way you have described?—I did not know of the nature of that punishment till it was explained in this room; because I did not observe that he was ironed more than a common person in the gaol, as he made no complaint that he felt any inconvenience from the irons.

Now you know the whole of the circumstance, do you approve, or disapprove, of the discipline exercised by the governor upon Hilliard on that occasion?—It certainly appears severe; and I should not have approved of it if Hilliard had stated the circumstance to me, but should have taken off his handcuffs, and ordered his irons upon his legs to be placed as other prisoners wore them in the gaol.

For what purpose should you have ordered the irons to be put upon this man in solitary confinement?—I should not have ordered irons at all in solitary confinement.

Then if you would not have ordered irons yourself, would you have sanctioned the gaoler in putting irons on prisoners in solitary confinement, at his discretion?—I should not interfere with the discipline of the gaol, unless applied to.

Have you ever sanctioned men and boys having handcuffs behind them night and day in solitary confinement?—Never.

Therefore, perhaps you do not approve of that sort of treatment?—Such treatment never came to my knowledge.

Do you approve of the gaoler placing blisters upon the heads of prisoners as punishment?—Certainly not.

Are you quite sure when you came on 5th March, whether you ascertained any thing about Hilliard, or not?—I think I answered that before, by stating if he had been in solitary confinement, he would have been brought before us; therefore I took it for granted that he had been discharged, and discharged some time.

Then you are quite sure you did not see him with the same irons on his legs that day?—As I never came into the prison without visiting every ward, and seeing and conversing with

Rev. Dr. Colston.

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with so many prisoners; upon my honour, I don't know that I should have known the man if I had seen him in the ward amongst the other prisoners, for I made a point always to visit every ward, except Mr. Hunt's and Mr. Kinnear's; and I always sent my compliments to them, to say I was in the gaol, if they wished to see me.

You don't mean to except the two last gaol sessions, the latter of which I wrote to you especially for that purpose?—You addressed a letter to the sheriff or visiting magistrates, I think; and as there were a great many magistrates in the town hall, we did not feel ourselves authorized, as the letter was addressed to the sheriff or visiting magistrates, to comply with the request and leave it to him, and I think he sent an answer.

I made an application, I believe, to you, in a letter on the 26th April, addressed to the sheriff or visiting magistrates, which letter was opened by the visiting magistrates?—Yes; and we returned an answer to Mr. Hunt, stating that we should forward the letter to the sheriff, which we did.

Then you did not inclose back the letter to me?—I rather think we sent back Mr. Hunt's letter, with a request that he would forward it to the sheriff.

Did you or not at that gaol session, give me (a prisoner in this gaol) an opportunity of seeing the magistrates, or any of them, at that gaol sessions?—Having received a letter from us, you must know that we were in the gaol and in the town, and could have seen us if you had requested.

I wrote to you for that purpose; did you give me an opportunity afterwards, knowing that I was locked up and could not come to you without your orders?—I have no recollection of the purport of that letter; as well as I recollect, a letter was sent addressed to the sheriff or visiting magistrates, and as it seemed to refer more to the sheriff than to us, we either sent it to the sheriff, or sent it back with a civil message, desiring it to be forwarded to the sheriff. I don't recollect one word of the purport of the letter.

You did not send to me that day, I believe, that is what I complain of, not seeing you at gaol session?—I believe you saw me in the gaol; I am certain of it. It is very singular that I should come into the gaol without sending round to the whole of the gaol, that I was there. I never did such a thing in my life. I do not recollect that I walked round the gaol on that day, because my presence was necessary in the town hall, for discharging insolvent debtors, and my visit to Ilchester was purposely on that account; but on arriving in the town, I came to the gaol, and said I should be at the town hall until the debtors business was ended, if I should be wanted upon any business in the gaol. In the course of that day it appears from the journal, that I was in the gaol three times that day, there are three several orders I made.

And where are you sure you saw me that day?—As I came from the turnkey's lodge along the passage towards the female ward; and I think I saw you walking in the factory yard. Mr. Hunt must have known I was in the town in consequence of receiving a letter from me, and if he had required to see me, of course I should have seen him.

That was the only opportunity of seeing me or of my seeing you that day?—I think I saw you and you saw me, I can give no other answer unless I hear the letter read.

When you said that I had seen you or you had seen me, did you not mean to infer that I had an opportunity of speaking to you the visiting magistrate?—I don't recollect the purport of that letter, but I should think the answer sent by Mr. Thring and myself must have been satisfactory to Mr. Hunt; and I am sure if Mr. Hunt had sent a message to have spoken to me, I should then, as I usually did, have waited on him in his own room.

That is no answer to my question; did you mean to infer that I had an opportunity of speaking to you as the visiting magistrate?—Certainly not; you were not in my presence. It struck me when I was in the passage that Mr. Hunt saw me; but I certainly did not speak to him that day.

It's a long letter not worth reading; but you thought proper as the visiting magistrate, to refer me to the sheriff?—Yes.

When I made this application, the visiting magistrates, I believe, thought they had not the power of complying with my request, but referred me to the sheriff?—As our worthy sheriff has always gone hand and hand with the magistrates, I thought it prudent to send or request you to send that letter to him; and it was a compliment I thought due to him as a very old acquaintance of mine.

But on the 13th February, when an odious restriction was to be imposed upon me, then you could act yourself without paying your worthy friend the sheriff the compliment of consulting him?—I was then, I thought, with my brother visiting magistrates, doing or reviving what had been done by a large body of magistrates, at the Michaelmas sessions; and I am not certain whether the present high sheriff was not one of the magistrates present who approved of it.

My question was, whether you did not make that order without paying him the compliment of consulting him?—We renewed that order without consulting the sheriff.

Did you take the opportunity of doing it the very day and hour the old sheriff went out of office?—That I can't say.

You stated that the order excluded all except my family; what do you mean by the exception of my family?—The original order expresses what I meant.

My

My wife and female children; is that it?—Yes; wives and children.

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And that you called my family upon your oath?—Of course your wife and children are your family.

Did you not know that the only female child I had had been married some years, and lived from me?—I never heard how many children you had; I think I heard from you, that you had a married daughter.

Did you not know, at the time the order was made at Taunton, that I had been separated from my wife eighteen years?—I did not know it till this moment; I knew you had been separated from your wife, but what length of time I never heard, to the best of my recollection.

And knowing that, you made an order for the admission of my wife to visit me, to the exclusion of all other females?—The order speaks for itself.

And you do not call that inflicting torture?—I hope not.

Was it not meant as a mockery of a prisoner in your custody?—I shall make no comment on the order; it was done by the magistrates, and I shall make no comment on it.

You don't chuse to answer that question then?—I have answered it as far as I think it necessary

Had any complaint ever been made to you, as a visiting magistrate, of the conduct of any one of my female visitors?—Gaol, I think, would be no punishment were we to have our friends from morning to night in our rooms; the gaol would be made more like an hotel than a prison; that is my opinion as a visiting magistrate.

My question was, whether either of my female visitors conduct had been complained of to you as a visiting magistrate?—Their conduct! the magistrates thought it improper that those ladies should visit you in the manner they did; and therefore the order was made. There was no particular complaint against those ladies, that they had done any thing; it is a very delicate subject for me to touch upon,

Will you have the goodness to point out in my sentence any other punishment than that of safe custody?—The magistrates have granted to you favours that were never granted to any other man in your situation, to my recollection, since I have acted as a visiting magistrate; and I flatter myself you will do me the credit to say, that I have done every thing in my power to make your situation comfortable while you have been here.

After countermanding the order of Sir Charles Bampfylde, of the 15th December, which permitted me to see female visitors, and making the order of 13th February to exclude them, you say, you have done every thing in your power to make me comfortable, and flatter yourself that I shall coincide with you; you believe that?—If you have any generosity you will.

And you have really, as a magistrate of the county, and upon your oath, made that order under the impression that you were doing every thing you could to make me happy and comfortable in my situation?—In joining with my brother magistrates in renewing that order, we thought we were doing our duty to the county, and for the morals of the gaol.

Has it come to your knowledge lately, that men convicted of bestiality are placed to sleep with boys in your gaol?—It did not come to my knowledge till this late investigation; and indeed my friend, Mr. Goodford, had made some order, I think, in the Magistrates Journal, respecting that some years since.

When such a circumstance came to your knowledge, did you, as a moral man, and a clergyman, and a magistrate take immediate measures for the prevention of the recurrence of such a circumstance, or did you, regardless of the moral character of the prison, suffer such a practice to continue until it came out in evidence before the present commissioners?—In answer to that, I do not conceive that I have any thing to do with the gaol, as there are visiting magistrates appointed every quarter session, therefore it is under their direction.

Then you yourself individually, as a magistrate and a clergyman, took no means to prevent the recurrence of such a circumstance?—As I said before, Mr. Goodford made an order upon that subject in the book, and if it has been broken it has been done unknown to me, and I suppose to the magistrates; my friend, Mr. Newman, the present visiting magistrate, consulted with me yesterday on the propriety of making a fresh order, which he has done in the journal.

[Magistrates Journal, June 26th 1821.]

Has it ever come to your knowledge that a man named Dredge, convicted and sentenced to this gaol for an unnatural offence, has been in the habit, ever since he has been here, of sleeping in the same cell with another prisoner?—I never knew it till it came out in the examination before the magistrates.

And then no means were taken to remove the evil till it came out in evidence before the commissioners?—I know not what the visiting magistrates have done.

What act of immorality or levity or indiscretion ever came to your knowledge, as a visiting magistrate, in consequence of females visiting me in the gaol?—It is a very delicate question; I do not wish to offend your ears by answering it; I beg leave to decline answering; I do not wish to hurt the feelings of any person; it was taken up by the magistrates, and I only revived the order made by the body of magistrates of the county.

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When the original order was made for excluding females from my room, was there, upon your oath, any complaint brought before you of any immoral conduct on the part of the females who visited me in the gaol?—I don't know how to answer that question; I think I have answered it to the question before. From what Mr. Hunt said to Mr. Moody and me, as visiting magistrates one quarter, that he was separated from his wife, and had been living with a lady, by name, I think, Mrs. Vince, who was every thing to him in life, I think he said, and had been so many years; I don't recollect making any observation myself, but I think Mr. Moody made use of these words, or words to the same effect: "Well, well, we have heard all that, but you know that will not be allowed by the magistrates here." It is far from my wish to say any thing to hurt Mr. Hunt's feelings, or any persons connected with this affair.

Upon your oath if any thing of that sort took place, was it not in the room below this when I sent for you and Mr. Moody, to complain of the order of the 26th of August, after it was made?—Yes, I suppose it was, which led to that conversation.

Then that is the complaint you assign for making the original order at Wells, and the only one you assign?—I have nothing more to say on the subject.

What did you mean to convey to the Commissioners, by saying the gaol would be more like an hotel than a prison?—It had been represented that dinners used to be sent from the inn for Mr. Hunt's room for five or six people most days, such as Mr. and Mrs. Kinnear, Mrs. Vince, and Miss Gray, and others.

And that was what you meant by stating that it was like an hotel, was there any thing else?—I have stated that you find.

Did you make any order to prevent dinners being sent, to get rid of any evil that might be supposed to arise from it?—The order of sessions settled that.

That allows four visitors to both Mr. Kinnear and myself, from nine o'clock till seven?—Yes, excepting ladies.

Then you thought the best way of preventing dinners, and making the prison like an hotel was, by making an order to exclude ladies?—These ladies were living constantly in the gaol, and perhaps would have lived up to this time, had this order not been sent forth.

There was an order made at the gaol session, 6th July 1820, and entered in the Magistrates Journal, permitting all visitors to visit Mr. Kinnear and myself, from nine in the morning till sun-set; was it ever communicated to you as a magistrate, that either of those ladies, or any other visitors of mine, attempted to infringe that rule?—No; there was no complaint made against the regularity of their coming in and going out, according to the time.

Then when you stated to the Commissioners that these ladies had been constantly living with me in the gaol such a length of time, did you not mean to convey the impression that they had slept in the gaol, as well as been in it from nine in the morning till sun-set?—It is impossible for me to know what they did while in the gaol.

They were regular in coming in and going out, according to the rules then laid down?—I beg to decline saying any thing more upon this subject.

My question was, did you or did you not mean to convey the impression that these ladies lived with me in the prison night and day?—Certainly not.

Was it ever represented to you that those ladies came singly into the prison to see me, or whether they did not always come together?—I always understood they came together.

But for the morality of the gaol, you made an order to exclude them from coming to my private room, but allowed me to see them in the public conversation room?—Which is the general order or rule of the gaol for prisoners to see their friends.

Has it ever come to your knowledge in any way, that the conversation room is an improper place for decent women to go to?—I never heard of any indecencies in that room till the late investigation.

Since you have heard of the transactions alluded to in the conversation room, have you taken any measures to enable me to see female visitors in any proper place?—I have not been visiting magistrate since.

Re-examined by Mr. White.—When Hilliard was brought before you in the way you describe, did he admit or deny the charge made against him?—Neither one or the other.

How then did he conduct himself on that occasion?—He appeared hardened, and not inclined to say a word, or wished to do away the charge against him in any way.

Examined by the Commissioners.—Did you ever visit the gaol so far unaccompanied by an officer as that the prisoners could have made their complaints, unheard or unawed by any officer?—Whenever I visited the gaol, I used to go round to every ward, and have all the prisoners called in the yard, and have walked round, saying, "I am the visiting magis-
"trate; if you have any thing to say to me, or any complaint to make against the governor
"or any other persons connected with the gaol, I will take down your name or names, and
"send

"send for you in the committee-room." At other times, when the weather has not been very favourable for them to come out, I have gone into their conversation-room, and have said the same to them there.

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During the progress which you have described, where was the governor, taskmaster, or other officer that attended you?—Generally standing at the door; but I have occasionally desired a turnkey to accompany me, in preference to the governor and even the taskmaster.

Did it ever occur to you that a convenience might arise from your putting the same questions to the prisoners in the absence and out of the hearing of any officer whatever?—I certainly have done so.

Did you consider it to be consistent with the regulations observed in this gaol, to give to a female prisoner a choice, whether or not she would be under the custody and care of a male officer in preference to that of the matron?—As she was living in a cell detached from the other females, she seemed perfectly satisfied, and did not interfere; and from the general appearance of Miss Churchus, she appeared so respectable and so steady, that I did not wish to interfere upon the subject.

Is it considered in this gaol, that the regulation for placing the custody of the women under the care of the matron is intended solely to promote their comfort; or is it not, in a still greater degree, to preserve the decency and morality of the prison?—I think so.

If such a regulation be necessary with reference to the female prisoners collectively, is not the enforcement of it still more necessary with reference to a female prisoner confined in a distant and unobserved part of the prison?—On re-considering the subject, I certainly should have ordered the matron to have attended instead of a male turnkey, and I am sorry it did not strike me to do so. And had she been any other kind of woman; had Miss Churchus not appeared to be so meek, and so humble and correct in her manner, and so well behaved, the propriety of it would have struck me. Her general conduct was so correct during the time she was in the gaol, that I did not think myself authorized to make any alteration.

Do I understand you correctly, that if Hilliard had shewn the slightest symptoms of contrition, your orders were that he should be released?—If he had, he certainly would have been released, with a good lecture to take care of his conduct in future. For there was another man, I think, by the name of Gardner, who expressed sorrow for his past misconduct, was instantly discharged, with a caution to conduct himself well in future.

Was you aware that Hilliard had only been in confinement about twenty-four hours?—I knew that Hilliard was put into confinement some time the day before.

Knowing that fact, when you gave your order that he should be released upon shewing the slightest symptoms of contrition, would you have considered his offence as one of an aggravated nature?—I should have expected something more than just acknowledging his offence; that he should have been extremely sorry. Both by his words and actions, we certainly considered his offence one of an aggravated nature.

When you ordered that Hilliard should be discharged under the circumstances which you have mentioned, did you mean that he should have been set entirely at liberty?—We had not made up our minds upon that subject, because most likely he would have been set to work, and his wages suspended for some time.

Was any such continuance of punishment expressed or intended by your order, under any circumstances whatever, in Hilliard's case?—Certainly not.

If, then, he was released from solitude and handcuffs, and was set to work with the doubled irons on his legs, and his wages suspended for some weeks by the governor, did he act conformably to your orders and intentions?—Certainly not. I certainly should have taken the doubled irons off his legs when at work, and his handcuffs and doubled irons when in solitary confinement, if it had been made known to me.

Is it consistent with the rules and regulations of this gaol to use irons, by way of punishment; or do the rules and regulations of the gaol merely authorize them to be used for the purposes of security?—Ever since I have known the gaol, a certain class of prisoners always wear the irons—the convicts felons for trial.

Then do you consider that irons are used on them by way of additional security, or otherwise?—I should think, security.

Has it never occurred to you, that if persons sentenced at the assizes or sessions to solitary imprisonment are not placed in irons, that the punishment inflicted by the governor, when placing a prisoner in solitary confinement and in irons for offences committed within the prison, is more severe than that which is inflicted by the courts upon prisoners who have been tried and convicted of offences of much greater magnitude?—In answer to that, their confinement, when sentenced by the courts above, are for much longer periods; and whenever they are put into solitary confinement for offences in the gaol, I apprehend it is only for a day or two, to bring the offender to his recollection.

If, then, a prisoner is confined in solitude and in irons for ten days, do you consider that such an extension of that punishment is not warranted by the regulations of this gaol?—I should think not.

Rev. Dr. Colston.

Do you consider that the order made by you and the other visiting magistrates, in the case of Hilliard, did authorize such a continuance of that punishment?—Certainly not; because whenever he shewed contrition, he was then to be liberated.

(27 June.)

How long was Hilliard before you and the other magistrates, when you heard the charge against him?—We read the complaint from the Occurrence Book, and had it stated by the governor, and I think, Pike, the turnkey.

How long had you him before you?—Perhaps five or six minutes.

Did Pike or the governor, either of them, state that they had seen his offence committed?—I think Pike stated, that the constable came to the hole where articles are delivered to the prisoners, and stated the circumstance immediately after it happened.

Then had you any other evidence than a secondary hearsay statement of what had taken place?—We certainly had not.

Is that the usual way of deciding on complaints against prisoners?—No; I have often had the parties brought before me, and have investigated the circumstances from the parties concerned in a disturbance, and had this man offered any defence, it would have been thoroughly investigated; he seemed sullen and hardened, and would say nothing.

Do you recollect what Hilliard was in the gaol, whether he was a time man?—I don't know, but I rather think he was.

You said, when you saw this man in irons, you thought it was the customary mode of ironing?—I did.

Is it the custom to iron time men at all?—I don't know; I am not certain; I rather think not, unless they go to work out of the gaol; I think then they have a small iron round the leg.

Then for what cause did you conceive he was ironed, he being a time man?—I did not know he was a time man.

Did you consider the irons were for punishment or security?—For security; I should have thought solitary confinement sufficient punishment without additional irons.

In whose discretion do you conceive it to be to decide upon the amount of irons?—I believe that has been left to the governor; I have known instances when a man has complained to me of the weight of his irons, I have sent for Mr. Bridle, and mentioned the propriety of putting a smaller iron, or changing them, which he has always done immediately, saying, "if the man had mentioned it to me, I would have attended to his complaint, or "I would have changed the iron."

You observed that he had irons on his legs?—Certainly, and so had Gardner.

Irons being used only for security, is not a man going to be locked up in a solitary cell, in that very situation where that security is unnecessary?—That is very true.

When you had left the gaol, and had left Hilliard in solitary confinement, to whose discretion was the amount of his sorrow to be committed?—We expected the governor would release him as soon as he expressed that degree of sorrow for his past conduct.

But who was to judge of that degree of sorrow?—If he had said he was sorry for his past conduct, and begged the governor to forgive him.

Then are we to understand that it was left to the governor's discretion to consider the amount of his sorrow?—Certainly; I live at such a distance from the gaol, that whenever I have received a letter from a prisoner, I have immediately come to the gaol.

Then the duration of his continuance being confined to his expressing sorrow for his past conduct, he might have remained till you came again?—I should have expected to have heard from the governor, if he had continued obstinate, so that I might have come down and released him from his solitary confinement.

Do you suppose the governor understood that?—He ought to have understood it.

In point of fact, you did not receive any notice from the governor respecting it?—No.

[Adjourned at 2 P.M. until 3 P.M.

The Commissioners re-assembled at that time.

John Phelips, Esq. called again; and Sworn.

J. Phelips, Esq.

Have you been in the habit of visiting this gaol?—Yes, as visiting magistrate.

How long have you acted as a magistrate of this county?—From January 1811.

And have you, since that period, occasionally acted as a visiting magistrate here?—Yes.

Have you attended at the assizes?—Frequently; almost always at the Lent assizes.

And the sessions?—Frequently.

I believe

I believe you have acted lately as chairman of the quarter sessions?—I once presided as one of the chairmen. *J. Phelips, Esq.* (27 June.)

On these occasions I mean, when you have been attending here and at the assizes, have you observed the conduct of Mr. Bridle as gaoler?—Certainly.

What has been that conduct?—I never saw any thing but what I approved of, until a very recent date, nor knew any thing.

To what date are you alluding to?—The middle of April.

What has been the state of the gaol with regard to cleanliness?—I think it has been the cleanest and best I have ever seen; with regard to the prisoners, as far as I have seen, they have appeared clean and orderly.

On attending the gaol as visiting magistrate, has the gaoler, or any of his officers, accompanied you round to the different wards?—When the gaoler has been here he has, but I have attended when he has not been here.

Have the prisoners been under any restraint in consequence of his presence when you have been visiting?—Not to my observation.

If they have had grievances to complain of, has he interposed with a view to prevent their making them known?—Not to me; I have been over the gaol without him.

Have you ever attended the audit or examination of his accounts at the gaol sessions or quarter sessions?—I have at the quarter sessions; I am not certain as to the gaol session.

What has been his conduct as to honesty and integrity as far as it has come to your knowledge?—I never heard it impeached by any one to the period I have been speaking of.

Have the Magistrates Journal and Occurrence Book been open to your inspection when you have attended here as visiting magistrate?—Certainly.

Cross-examined by Mr. Hunt.—From what you have seen of the Occurrence Book, are the transactions so minutely and correctly entered, that you would rely on it as evidence of the correct conduct of the gaoler?—I could not after having pointed out interpolations therein.

The answers that you have given refer only to the period up to the middle of last April?—To the 19th of last April.

Have you had an opportunity of knowing lately whether the gaoler has strictly complied with the orders entered in the Magistrates Journal or not?—Since the period alluded to I know that one order has been disobeyed.

The Rev. *John Dalton Thring* called in; and Sworn.

I believe you are a magistrate of the county of Somerset?—Yes.

Where do you reside?—At Elford, near Castle Cary. *Rev. J. D. Thring.*

How long have you been a magistrate of this county?—I have acted about three years.

Have you often been a visiting magistrate of this prison?—Never, but for one quarter.

Examined by Mr. White.—On visiting this gaol, what has been the state of the gaol and the prisoners as to cleanliness?—The gaol has always appeared in a clean state, and the prisoners also as far as my observation went.

Has Mr. Bridle accompanied you when you have gone round the different wards?—I think Pike usually attended.

What has been Mr. Bridle's conduct as a gaoler since you have known him?—To the best of my knowledge he appeared always to be a regular and efficient officer.

What has been his conduct as to honesty and integrity, as far as has come to your knowledge?—Prior to the present investigation I never heard any impeachment of his integrity or his honesty.

Have the Magistrates Journal and Occurrence Book been open to your inspection when you have attended as visiting magistrate here?—They have.

Do you recollect when you last visited?—I do not recollect the precise day.

Did you visit on the 12th of March [*refers to the book*]?—I did.

Is there any entry made by you relative to Charles Hill.

[Magistrates Journal, 12th of March 1821.]

Cross-examined by Mr. Hunt.—With the exception of the gaol sessions, you only visited the gaol twice?—No.

When you made this inquiry of Charles Hill you knew he had lately presented a petition to the House of Commons?—I did.

And that the House of Commons had addressed the King to send down this commission?—That I do not recollect. I see you were particularly attentive to me each of those times you were here. Here are six orders, all relating to me at one visit. The first order that the governor having submitted, &c. [Magistrates Journal, 12th of March 1821.]

Did you not know at the time that this Mr. Pitcher was a person that I had employed to write for me?—I did not.

Were you not informed that the said William Pitcher had drawn up the petition for Charles Hill?—I had not.

Rev. J. D. Thring.
(27 June.)

Will you inform us what violations of any of the rules or regulations of the gaol he had committed to cause that exclusion?—I cannot give a direct answer to that question.

Did you know that he was in the habit of visiting me?—I believe I understood that he was in the habit of visiting you and other prisoners in the gaol.

Do you know the reason that the next visiting magistrate rescinded that order?—No. I believe the sheriff rescinded that order, as being a witness necessary for your cause as I understood.

[The above order enforced as to Hobbs and his wife.]

The first act of yours, as a visiting magistrate, was to draw up this document for Hester Churchus to sign?—Questions were put to Hester Churchus, to which she returned answers. I afterwards embodied her answers as nearly as I could, allowing for the different form of the document, in the language in which the questions were put. I then handed it to Hester Churchus, and desired her to peruse it; and if it contained the substance of what she meant to affirm, to sign it, which she did.

She preferred to have a male turnkey to unlock her in the morning and to lock her up in the evening, to a female turnkey?—I don't know that she preferred it, but she expressed no wish for the change.

Nor did you express no wish of the sort?—I did not.

You saw no impropriety then in a young female, in solitary confinement, being attended by a man to lock and unlock her bed-room door?—If she had no objection to the usual officer unlocking and locking the door of her apartment, I see no impropriety in it.

You are a young visiting magistrate, and perhaps you cannot tell what the matron is appointed for?—I do not exactly know the particular duties of the matron.

But the same day that you saw no impropriety in a male turnkey waiting upon a young female in solitary confinement, you saw an impropriety in admitting females at all to my apartment; and your brother magistrates, and your father and Dr. Colston made an order for that purpose; is it so?—Hester Churchus was in a separate ward at her own request. I made the order in conjunction with my brother magistrates.

Did you assemble at the gaol for the purpose of making that order?—Certainly not for the sole purpose.

But you intended to make that order when you came to the gaol?—I did.

Do you recollect speaking to any body else before you came here, what you intended to do?—I did have conversation with others.

Do you recollect the conversation you had with a gentleman from Wiltshire, who was staying at your house, or your father's?—I do not.

You do not recollect telling a gentleman, that you were coming here for the purpose of making such an order?—I do not.

The same day you had a man of the name of Hilliard with you?—There was.

He was brought before you ironed, double ironed and handcuffed, and chained together, irons and handcuffs?—I do not know that he was brought in that state.

Hester Churchus was a young woman I believe?—I do not know her age.

But you can say whether she was young or old?—From her appearance, I should have supposed her to have been between twenty-seven and thirty years of age.

You won't undertake to say that Hilliard was not in that state when brought before you?—No, I will not; Pike the turnkey brought him in.

You heard the charge against him?—I did.

And investigated it?—He did not deny the fact.

And you ordered him back to solitary confinement in the same situation?—I concurred in the order, till he should shew some marks of contrition.

You wrote this order?—Yes.

[Magistrates Journal. Ordered that James Hilliard, &c. 13th of February, 1821.]

Perhaps you can tell why the irons, the handcuffs and the chains, were not mentioned in this order?—I have before stated, that I was not aware that he was chained in the manner represented.

Then you think it possible a human being, could be brought in that state into a room where you were a sitting as a magistrate, without your observing it?—He stood perfectly upright, and as I sat at the further corner of the table from him, there was nothing in his appearance to lead me to suppose that he was chained in the manner stated.

Perhaps you were so taken up with this order of Hester Churchus, and the order you made for me, that you don't know whether he was chained at all?—I have no doubt that he was chained; but I will not undertake positively to swear it.

Perhaps you approve of putting prisoners in irons in solitary confinement, as a punishment when they have committed any offence?—I should not take upon myself to alter the usual discipline of the gaol.

Then

Then if you had observed the man in that state, you would not have taken upon yourself to alter it?—Not if I had found that it had been the customary punishment for similar offences.

Rev. J. D. Thring. (27 June.)

Did you understand, or have you learnt that that was a customary punishment in this gaol?—I have not learned that that particular mode is a customary punishment in this gaol.

Have you learned that irons, handcuffs and chains have been used as a customary punishment upon prisoners in this gaol?—I have, but not that they have been used at the same time.

Have you ever known any other magistrate of the county of Somerset, sanction such a punishment as that, except yourself, your father, and Doctor Colston?—I cannot name particular magistrates.

Have you heard any other magistrate approve of the practice besides yourself?—I have never stated that I approved of the particular mode in which Hilliard is said to have been chained.

Have you met with any other magistrate, who approved of putting prisoners in irons at all in solitary confinement?—I have never had any conversation that I recollect, with other magistrates on the subject.

Do you approve of the practice of applying blisters to men's heads as a punishment?—Certainly not.

Perhaps you know that the law of the land does not sanction torture?—Certainly.

Thomas Poole, Esquire, called in; and Sworn.

T. Poole, Esq.

Do you reside in this neighbourhood?—I reside at Stowey, near Bridgewater.

Have you been long a magistrate of this county?—Six or seven years.

During that time you have acted as a magistrate?—Yes, since January 1815.

Have you ever been a visiting magistrate of this gaol?—Never.

Examined by Mr. White—You have attended on the committee of magistrates in this gaol?—I have attended what is called the gaol sessions, held on the Thursday preceding the quarter sessions, and various committees on which I have been appointed when those committees have met at this place.

Have you on those occasions gone over the gaol, and observed the economy and state of the gaol?—Yes, almost always; I have hardly ever been here without doing so.

Did you observe the state of the prisoners on those occasions?—Certainly.

What was the state of the prison and prisoners on those occasions?—I have always considered the gaol in excellent order; I have never seen it otherwise, and the prisoners were generally in that state of comfort which men in their situation can be expected to be; I have generally asked and heard them asked, if they had any complaint to make, and hardly recollect an instance where a complaint was made.

Have you been in the habit of attending the assizes and sessions held for this county?—I have attended the sessions constantly at Taunton and Bridgewater, and the assizes, except that held every other year at Wells.

In consequence of thus visiting the gaol, and attending the sessions and assizes, are you capable of speaking as to Mr. Bridle's conduct as the gaoler of this county?—Those opportunities gave me reason to believe, that Mr. Bridle was a very intelligent efficient officer.

Have you had occasion to examine accounts which he has produced?—I have had occasion to examine accounts which Mr. Bridle has produced, in two ways; first, those accounts which he produces at the quarter sessions, and at the gaol sessions I have sometimes examined; and I was one of the committee appointed to prepare an account of the profit or loss sustained by the manufactures carried on in this place. Upon which we made a report, that contained a statement of the accounts for that year relating to the manufactures; I of course had reference to Mr. Bridle's accounts, to frame the statement contained in that report.

What has been Mr. Bridle's conduct on those occasions, as to honesty and integrity?—I never have seen by those accounts the least reason to suspect his integrity; and have always found him most ready to explain any circumstance that required to be explained, and to give every information in his power that was required.

Was the account respecting the manufactures to which you allude?—Yes.

Is that it?—Yes.

In preparing that account, you had recourse to the books that were kept by Mr. Bridle, or in the gaol, relating to those manufactures?—To the books, or to abstracts from them.

Have you any doubt of the accuracy of that statement which was published?—I have no reason to doubt its accuracy.

Was Mr. Bridle directed to prepare an annual statement of a similar nature?—It is recommended in that report.

Has there been any similar account published since that?—No; at least, not in that shape.

T. Poole, Esq.
(27 June.)

Have there been any accounts since prepared similar to that?—I recollect Mr. Bridle shewing me an account similar to that which was published, I think at the Epiphany session 1820. He had prepared it to present it to the court; but from the pressure of business which then occurred, it was not read, as far as I recollect, but that I had it in my hand, I am certain.

Up to what time, was that account prepared?—It was a year's account, succeeding that produced.

Do you know whether that account was ever gone into at any court of quarter sessions?—I don't believe it ever was; or that it was ever mentioned at any subsequent sessions.

Do you happen to know, whether any account was prepared subsequent to that?—I have had no conversation on the subject this year; but I have been informed since I came here, that Mr. Bridle prepared an account for the last year, to be presented last Epiphany session.

Is any neglect imputable to Mr. Bridle, in consequence of the subsequent accounts not having been published?—No, I don't see that there is any neglect imputable to him; and I add, that I am not aware that it was intended to publish annually such a statement. It was to have been presented in court; it was the recommendation of the committee that such a statement should be presented; but I do not know that Mr. Bridle ever received directions to present such a statement.

What does that account purport to be?—A statement of labour performed by the prisoners in Ilchester, January 2d to December 31, 1819.

Examined by the Commissioners.—What do you know of that paper?—I only know that a paper similar to that was shewn to me by Mr. Bridle at the Epiphany session, January 1820, at Wells, in the grand jury room.

Examination by Mr. White resumed.—Whose duty is it to prepare those accounts?—I never heard it distinctly stated whose duty it was; but I should have said the taskmaster's if I had been asked.

Do you know who was lately the taskmaster of the gaol?—Yes; Mr. Hobbs.

Do you know his hand writing?—Not sufficiently to prove it.

[Mr Hunt admitted Hobbs's hand writing to the accounts of labour for 1819 and 1820.]

* Sic. orig.

Cross-examined by Mr. Hunt.—All this appears to me to be in a statement of imaginary*; for instance; No. 18, profit and loss—Amount of laundry work, as per book, two hundred and seven pounds one shilling and ten-pence halfpenny?—There were deposited in the office of the clerk of the peace all the vouchers referred to by those numbers; they were deemed too voluminous to be printed, but any one who was desirous of inspecting them was referred to him.

Who was employed to estimate the value of the labour done in the laundry?—Certainly Mr. Bridle and the taskmaster were the persons to fix the prices; but they gave an enumeration of the articles washed, and the committee exercised their discretion in considering the propriety of those prices. It was the opinion of the committee that the estimate for the laundry was very low, considering the quantity of work done.

Some part of this account is not imaginary, cash paid to the governor and taskmaster for superintendance, two hundred and seventy-seven pounds four shillings and ten-pence?—It is a fourth part of the wages; common labourers have nine-pence, and mechanics from nine-pence to sixteen-pence per day.

Then you intended that the governor and taskmaster should receive a fourth of that?—They were in the receipt of it before I acted as a magistrate; it was the taskmaster's whole salary, and what the governor received was in addition to his salary.

Do you recollect what proportion the prisoners were to have?—Yes; a fourth. The remaining two fourths the county have, or it is not paid.

Here is an item I think you can explain; the governor and taskmaster's share on the forfeited wages, twelve pounds eight shillings and two-pence halfpenny, can you state how that arises?—When a prisoner misbehaves himself he is mulcted, he forfeits his proportion of the wages, he continues to work; and there being the same superintendance requisite, the governor and taskmaster were allowed their share of that man's wages.

But might not men be mulcted and not continue to work, by being placed in solitary confinement?—I might say, the only security we have, or can have, that any imposition does not take place, is Mr. Bridle's integrity and his oath.

I believe you attended the gaol sessions in July 1820, soon after I came here?—Yes.

Do you recollect my applying to the magistrates for some accommodations?—Yes.

And among other things it was ordered, that I and Mr. Kinnear should be allowed to see visitors in our own rooms, from nine in the morning until sunset?—Yes.

Perhaps you may recollect, that my application was to see my friends at reasonable hours in the day time, and the magistrates fixed the time?—I do.

In your capacity as a magistrate, was any complaint made to you by the gaoler, or any of the officers of the prison, that either myself or any of my visitors had ever encroached upon the indulgencies you granted?—No, I have no recollection of any such complaint.

Perhaps

Perhaps you may recollect whether I professed myself satisfied with the order you made, and thanked you for it?—You certainly did. *T. Poole, Esq.*

(27 June.)

Jane Trask called in; and Sworn.

Are you a debtor in this gaol?—Yes. *Jane Trask.*

How long have you been so?—Since the 2d of October 1819.

Examined by Mr. White.—Have you been at any time alone since you have been in custody?—Yes.

What part of the gaol were you in when you were alone?—In the place called the boys ward.

Did you apply to any one to be removed from thence?—Mr. Bridle came and asked me if I would like to be removed, or if I would like to bide alone, or to go with any one else. I said I should be willing to be removed if Mr. Bridle pleased. I was removed the same day.

How long had you been in confinement alone?—It might be a week or ten days.

What has been Mr. Bridle's conduct to you since you have been in confinement?—He has behaved very well to me.

What part of the gaol was you removed to?—To where the women are, the time women, down by Mr. Bunter's.

Did you prefer that place to being alone?—I would as soon have been alone as not; if I had liked to have gone I should have spoken before.

Have you heard any complaints against Mr. Bridle since you have been here?—No one has ever said any thing to me against Mr. Bridle; I have heard no complaints.

Do you attend your duty at chapel?—Yes.

How often?—I don't recollect that I have been away three Sundays since I have been here.

Does Mr. Bridle attend at the chapel?—Yes.

How often?—Almost always, unless he has been away with prisoners to the sessions or assizes, as I have heard them say, or been ill.

What part of the chapel do you sit in?—In the gallery, near to Mr. Bridle.

Cross-examined by Mr. Hunt.—Where were you removed to?—To where the convicts are.

Some of the women had been transported?—Yes, some of them who were in the yard; there were no other debtor women in gaol.

Did you prefer to be put among women who were confined for all sorts of crimes?—If there had been any other debtor women in the gaol I should not have gone there; I would sooner go with them than bide alone by myself.

I thought you said, that you had no objection to stay alone, and did not apply to be removed?—I should not like to bide there at all times. Mr. Pike spoke about it many times; he said I had better be with company; he seemed to pity me, and did not like me to bide alone by myself.

After pitying you a great many times, they prevailed upon you to be removed?—I would sooner go than bide there alone by myself.

Can you tell how many times Mr. Bridle went to chapel between May and Christmas 1820?—I don't know how many times. When Mr. Bridle did not come to chapel, I used to ask, and they used to say he was gone with prisoners; or else, that he was ill.

Who told you this?—I have asked Mrs. Pike sometimes.

[Occurrence Book, 21st November 1820.]

[Adjourned at 7 P.M. until 9 A.M. to-morrow.

THURSDAY, 28th JUNE 1821.

The Commissioners assembled at 9 A. M.

Robert Penny called in; and Sworn.

R. Penny. (28 June.)

YOU are a prisoner in this gaol?—Yes.
How long have you been so?—About nine months.
How long since trial?—About six months.
What were you tried for?—Felony.
And what was your sentence?—Twelve months to hard labour.

Examined by Mr. White.—What situation have you filled since you have been in the gaol?—I worked two or three days, and then I was appointed constable.

Examined by the Commissioners.—You are constable now?—Yes; and have been so between five and six months.
What yard were you appointed constable to?—The time-yard.
What yard are you constable of now?—The felons yard.
How long have you been there?—27th March.

Examination by Mr. White resumed.—Did you ever report a prisoner of the name of Hilliard?—Yes; they used to be often gambling, and I told them I would report them; Sundays and week-days, if they had an opporunity when I was not there; that was, mornings when I was up stairs. I came down stairs softly, and catched them with some dice they had made out of some timber.

On those occasions, did they make any noise or disturbance?—Yes; they used to quarrel, curse and swear; I have looked out of the windows, and have seen them at it in the yard; then I went down, and took the dice from them, and they went into the kitchen then; and I reported them to Mr. Pike.

Did Hilliard say any thing to you after he was reported?—When he came into dinner, he said, "You damned son of a bitch, I'll knock your b——y head off!" and he hopped out and knocked me down then; and soon as I came to myself, I went to the trap; he stunned me; I felt it several days afterwards. Then I went and reported him, and he was had out of the yard.

Has Hilliard threatened you since?—Yes; he said he should be out of prison before me, and a day or two before he went he would very near kill me. This he has said since he was forgiven.

Why were you removed out of the yard where Hilliard was?—I asked Mr. Pike if he would place me in another yard, as I did not like to continue there; he was always threatening what he would do to me.

That day he came in the yard, after being forgiven, had he his irons on his legs locked on?—He said, locking up had not hurt him, he could take his irons off every night. Then he took a bit of wire out of his pocket, to shew how he took them off; he took them off, and put them on again; he was not above three or four minutes taking them off and putting them on.

Did he say he had done this every night?—Yes; he said he had done it every night, and he said he put them on in the morning before Mr. Pike came.

Did you ever hear Gardner say any thing?—Yes; I heard him say, that locking up did not hurt him. He said, he supposed I should have my head shaved the same as he had his. I said, I don't suppose I shall; I do not suppose you would if you had not deserved it. He said he did not know; it did not hurt him; he did not look after that there.

What did not hurt him?—Not locking him up and shaving his head. He took off his cap and shewed and said, that did not hurt I.

How long was this after his head had been shaved?—I suppose very near two months.

How often have you clean stockings and shirts?—Every week, except it was one week.

How often have the other prisoners clean shirts and stockings?—Almost every week; the same as we; there is no difference in that; they might have had them oftener if they liked. I know several, when they had a good pair of stockings, if any were brought in mended, they would keep their own sooner than them that were mended.

What has been Mr. Bridle's conduct to the prisoners since you have been here?—Very good for any thing I know; Mr. Bridle has always behaved very well to me.

Have you heard any complaints of Mr. Bridle's conduct amongst the prisoners?—No; I never heard any thing against Mr. Bridle while I was there; when Mr. Bridle came in and looked round the yard mornings and evenings, I never heard any of them say any thing against him after he was gone.

Cross-

Cross-examined by Mr. Hunt.—Who else saw Hilliard take of his irons except you?—I am not certain whether any person else saw him but me. *R. Penny.*

You have been endeavouring to make other people say they saw him?—No; there was other people in the room, and whether they saw him or not I don't know. (28 June.)

Have you not called upon Cottle to desire him to say so?—No.

What did you call upon him for?—To ask him, whether he saw it as he was there. He says, he was busy about his saucepans and did not see it.

Perhaps you have called upon other prisoners, to see whether they recollect it?—Yes; I asked them.

George Stillman?—Yes.

Could you make any of them recollect it?—I don't know. They said they did not recollect it at that time. Whether they did or did not, I saw him. I told Stillman where he was sitting when he took the wire out of his left hand pocket, then he took off his irons, both of them, and said, this is the way I have done every night.

What did Stillman say to this?—He said, he did not recollect it then.

Did he undo his handcuffs with the same wire?—No; he said he could not undo his handcuffs.

He went to work in the irons after the handcuffs were taken off?—Not very long; I don't recollect; not above two or three days, I believe.

How did he contrive to take off the irons when he was handcuffed and chained?—He said he put his foot upon the bedstead, and put the wire into the lock and turned it round and round. He put his foot on the form and put his hands together, and shewed us how he did it.

And you believe it?—I saw him do it.

And you never reported this to any of the officers?—No; because the man was forgiven.

Examined by the Commissioners.—Who did you mean when you said, some of the prisoners had clean linen nearly every week?—When we had not clean shirts on Sundays, they were served out in the week days, sometimes Monday, sometimes Thursdays, and Fridays I have known it done. There was no particular day for serving out when there was no clean shirts for Sundays; they washed them one Sunday and served them out on Monday.

Then Hilliard shewed you how he took off his irons, on both legs?—Yes; but his handcuffs were off then.

Were the irons double?—No, they were single links, as men are for trial.

Did he tell you that was the way he was ironed when in confinement?—He did not say any thing about the irons, what fashion they was, but he said, he put his foot on the bedstead.

What did he threaten to do you?—He said, he would very near kill me, a day or two before he went out. What I have said is the truth, and not a word more than the truth.

Thomas Gray called in; and Sworn.

You are a prisoner, and constable of the factory ward?—Yes. *T. Gray.*

How long have you been in prison; fourteen months since trial?—Yes.

What were you tried for?—Felony.

What is your sentence?—Two years hard labour.

Examined by Mr. White.—Does Mr. Bridle ever visit your workshops?—Yes.

How often?—I have seen him down there twice a day.

How does he conduct himself towards the prisoners?—Always very well, as far as I ever saw.

How often do you change your stockings?—Every week now.

Did you ever know a prisoner refuse to have clean stockings?—No; not to the best of my knowledge.

Do you know a prisoner named Marsh?—Yes, very well.

Did you ever hear him say or do any thing respecting stockings?—I have known him have two pair.

Has he been ever offered more in your presence?—Not as ever I saw.

How often have those that he had been changed?—He has kept them by him.

T. Gray.
(28 June.)

How was it Marsh had but two pair of stockings?—When he catches two good pair, then he wears one pair, and preserves the other, and washes them himself, because he won't trust them to the washhouse.

What has been Mr. Bridle's conduct to the prisoners?—Always pretty good, as far as I know.

Have you ever heard any complaint of the prisoners against Mr. Bridle?—No.

Not till this happened?—They always praised him before, as far as I heard.

How are the boys punished in the factory yard?—They have been punished by being put in the stocks.

What are they so punished for?—They must be guilty of some depredation or other, I suppose, or they would not be punished.

How are they placed in these stocks?—They put their legs in them, and they draw a stool on one side; there are stools in every shop.

Did you ever place stools for them to sit upon?—Yes I have; I had no orders not to do it.

When they were so placed, were they permitted to sit or stand as they thought proper?—They might either stand or sit; there was no compulsion for them to stand; there was the stool they could draw near.

Cross-examined by Mr. Hunt.—When the boys are placed in these stocks, they are obliged to work?—Yes.

What work do they do?—Some of them quilly for the weavers, and that is work they are obliged to sit down to; its work that is very low.

Do any of them work at the engine?—Yes.

When Wheeler was in the stocks, he worked in the engine?—Yes; he was joining the rollers, and then he was obliged to stand up.

When he was standing and joining the rollers, I believe there was no room behind him for a stool?—No; and his work required him to stand.

Last summer, from this time to about Christmas, I believe you were not so well off for stockings as you are now?—No, we were not so well off as now.

Many of the men had large holes in their stockings?—Yes, they had.

I believe that for a good while, very few of you had clean stockings, unless you washed them yourselves?—No.

What sort of a boy is Wheeler at his work?—He can work very well when he's at it.

Does he attend to it as well as other boys?—Yes; boys will be boys sometimes.

Setting aside boyish tricks, do you know any great harm in him?—No; he will be going out of the shop sometimes, but always came back when I spoke to him; he never disobeyed any orders.

Re-examined by Mr. White.—What was Wheeler's offence when he was put in the stocks?—Sometimes when he was catched out of the shop without leave of the officer.

When you were not so well off in stockings who was the taskmaster?—Mr. Hobbs.

Examined by the Commissioners.—At that time you were not so well off for stockings, did those men that were dirty men keep their stockings several weeks without washing?—Yes; some would wear them, three or four weeks, I have known them.

Were there many of that sort?—Yes, a good many.

Did you ever report them for that?—No.

Why not?—It was not part of my duty.

For how long did this scarcity of stockings last?—It might be for seven or eight months.

How long is it since you have had plenty?—Since Mr. Hobbs went away.

Did that plenty begin from the period Mr. Hobbs went away?—Yes; four or five months ago.

Do you know whether that was before or after the magistrates began an enquiry here?—When Mr. Davis came he got men to knit stockings, and since that we had plenty.

But you don't know whether that was before an enquiry began?—No, I can't say.

And you never made any complaint of want of stockings?—No; I have pulled mine off and washed them.

Was

Was there any scarcity of shirts?—Yes, at the same time. *T. Gray.*

How long did you ever know a person wear a shirt in consequence of the scarcity?—Three weeks or a month, and sometimes less time. (28 June.)

Did they wash them themselves?—No.

Did you ever complain to any officer of wanting shirts?—Yes; we sometimes did to Mr. Davis, who brought them in to us.

What reply did you get?—He said he could not bring us in any sooner than they were washed, as shirts were scarce.

Did you ever complain to any body else?—No.

How long did this scarcity of shirts continue?—Till nearly Mr. Hobbs went away.

If you did not wash your shirts, and wore them three or four weeks, any one that looked at you must have seen you were very dirty?—Yes.

Mr. Bridle came in and looked at the factory; did he take any notice of the dirty condition of your shirts?—Yes; he has looked at the men washing the shirts, and has hurried them on.

Is the washing shirts conducted at the factory?—Yes.

Did you draw the stool to the boys who were placed in the stocks?—Yes; I locked them up, and kept the key to let them out when they had done work.

With respect to Wheeler, you said there was no room for a stool to be put behind him?—Yes; because the engine was behind him, very close to the place where they join the rollers.

If he had fallen forward, no injury could have happened to him?—He would fall against the work; he could not fall down.

If he had fallen backward, what would have been the consequence?—He would have fallen against the engine; he would hurt himself a little; the engine might shove him away.

Do you, the constable, of your own authority, put a boy into the stocks?—No, I never did; it is done by the order of the officer at the factory, or he is taken before the governor.

Suppose you report a boy to the taskmaster, what does he do?—I have known him forgive them, and some he has taken to the governor.

Was it by order of the governor or the taskmaster that Wheeler was placed in the stocks?—The governor, I fancy; it was the taskmaster's duty to take him up to the governor.

Have you not known the taskmaster put boys into the stocks, without taking them up to the governor?—Not to the best of my knowledge.

Have you ever known shirts or stockings washed in the factory on Sunday?—No; I have known Matthews go out to wash in the laundry, that was once only on a Sunday.

Do you know whether men have ever worn stockings, without washing, so as to wear out the feet before they have been washed?—Some are more extravagant than others; I have known some wear them out in a week in the feet.

Then it does not necessarily follow, that because the stockings have been worn out in the feet, that they have been worn a great length of time?—Some would do them a sight of injury in a week's time.

The scarcity of stockings and shirts, was that made good by Mr. Davis or Mr. Bunter?—We were provided very well immediately Mr. Davis took Mr. Hobbs's place at the factory.

Joseph Bailey called in; and Sworn.

J. Bailey.

You are a prisoner here?—Yes.
Have you been tried?—Yes.
For what?—Felony.

How long have you been here?—Three years and a quarter.
What was your sentence?—Seven years transportation.

Examined by Mr. White.—What part of the gaol are you generally in?—The factory.

Does Mr. Bridle ever come amongst you?—Yes, I have known him come there.

What trade do you work at?—Warping chains.

Did you know any thing of the business before you came into the gaol?—No; I never saw it above once.

Do you understand it now?—Yes, I can go all through the branch now.

J. Bailey. What has been Mr. Bridle's conduct to the prisoners since you have been here?—I can't say for the rest. He has behaved very well to me.

(28 June.) How often are your stockings changed?—We have had them every week lately.

How often is your linen changed?—We have clean shirts every week.

How long have you had stockings every week?—About a month after Mr. Hobbs went away, when Mr. Davis was in the factory.

[N.B. Since soon after Hobbs went away, it is admitted that clean shirts and stockings have been regularly served out weekly. Hobbs was discharged 24th February 1821.]

How were boys punished in the factory if they misbehaved?—There was not much notice taken of it.

Did you ever know boys placed in the stocks in the factory?—Yes.

Could they sit, or were they obliged to stand in the stocks?—According to where they were at work; some places they were obliged to stand, and some places they could sit.

Have you been in Mr. Hunt's ward recently?—Yes, I was down there one day.

What did you go there for?—I went for nothing particular.

What induced you to go?—Mr. Hunt sent for me, to know if I had been ill-used here or no.

What did Mr. Hunt say to you?—He asked whether I wished to see the Commissioners, and if I had any complaint to make before they went.

Was that after the Commissioners arrived here?—Yes; it was after they had been here.

How do you know they had been here?—Because I saw them in the gaol.

Did you know that the Commissioners were here to hear complaints?—Yes.

How did you know that?—The men told of it in the yard; and another thing, the Commissioners came into the ward and told of it.

Did Mr. Hunt give you any thing?—Yes, he gave me half-a-crown; I told him the men had no bread in the yard, because the bread was returned to the lodge.

Cross-examined by Mr. Hunt.—Can you write?—Yes.

Did you write me a note to say you wished to see me?—Yes.

And I sent for you?—Yes.

And you told me the men were in want of bread, and I gave you half-a-crown to buy some among them?—Yes, I told you they were short of money.

You told me that many of them had gone without their breakfast?—Yes.

And that was what you wrote about?—Yes.

Did you tell me any thing about your being locked up?—Yes, I told you I was locked up twice.

Had you handcuffs on?—Yes.

With your hands behind you?—Yes, two days.

Do you recollect I told you the Commissioners had had a great deal of proof about that sort of thing, and I did not think you would be wanted?—Yes.

But that your complaint would be attended to?—Yes.

Did I tell you to advise your fellow prisoners to behave well, and conduct yourselves properly?—Yes, and not to give the officers any sauce.

And that that was the best way to have your complaints attended to?—Yes.

Examined by the Commissioners.—Were your hands bolted behind you by night as well as by day?—No, they were fastened before by night.

James Glover called in; and Sworn.

J. Glover. You are a prisoner here, for what?—Stealing lead.

How long have you been here?—Better than four months.

What was your sentence?—Twelve months imprisonment.

To hard labour?—Yes, I suppose it was.

Do you assist as a constable?—As a cook in the new time yard.

Examined

Examined by Mr. White.—That has been Mr. Bridle's conduct to the prisoners since you have been in the gaol?—Mr. Bridle has always behaved very well to me. *J. Glover.*

How has he behaved to the other prisoners?—Always very well, for what I have seen of it; and always did for what I know. I have been here twice before; about ten years a-gone, and about six years a-gone. (28 June.)

Does Mr. Bridle ever go to chapel?—Yes, almost every Sunday; I don't know that he hardly ever missed; and when I was here before, when he was at home.

How often this time of your imprisonment?—I have seen him several times; but I can't see him always from where I sit.

Do you know a boy named Wheeler?—Yes, John Wheeler, in our ward.

What is Wheeler's conduct?—A very wicked boy; cursing and swearing, and making a great deal of noise among the men. He pulled his clothes off one night to fight one of the men; his name is Howe: he pulled them off at another time since, about a fortnight back, to fight with Smith, another boy that's down there.

Did you ever hear him say any thing about Mr. Bridle?—Yes, I heard him say one day last week, that Mr. Bridle ought to be hung, and he hoped he would be transported; he would do all in his power towards it.

Did you ever hear any of the other prisoners complain of Mr. Bridle?—A good many of them keep running out against him; but if they are asked, they say Mr. Bridle never did them any hurt, nor yet any good. I think it was last Thursday night I heard Wheeler say he wished the devil would blow Mr. Bridle up sky-high.

How long have the prisoners been in the habit of speaking of Mr. Bridle in that way?—Ever since I have been in that yard this time, about five or six weeks. I have been in that yard nine or ten weeks.

How long have the prisoners been speaking of Mr. Bridle in this way?—Ever since, I don't know what it is called, the trial; since the commissioners came and asked what complaints the men had; I never heard them say any thing before. The men have said, which side are you of; one has said, what complaint have you, Mr. Bridle never did me any harm; and another has said, Mr. Bridle has never done me any good; and so they have gone on ever since.

Cross-examined by Mr. Hunt.—Did you report Wheeler for stripping to fight?—No.

Perhaps you don't think it any great harm for a boy to stand up in his own defence?—I don't know that it was; I don't know that it was the other's fault more than his. He would contradict the men right or wrong; he did me yesterday.

Perhaps after Wheeler has been here three times as you have, he'll know better?—He has been here, I believe, longer than ever I have; he has been here a long time.

Were you appointed cook by Mr. Bridle because you had been here twice before?—No; I was picked out by the men in the yard.

What was you here for before?—First, for an assault, a month; the next time, on suspicion of house-breaking, before trial; there was no bill against me.

Robert Gibbs again called; and Sworn.

Examined by Mr. White.—Did you know a prisoner named Zebedee Beauchamp?—Yes. *R. Gibbs.*

Did you know any attack made on his person in the gaol?—No; only Thomas Gardner was sitting alongside of him.

What passed between them?—I don't remember the words, its so long ago: he was sitting alongside of him; Thomas Gardner had a knife in his hand, and he struck the knife into his knee, and it bled a great deal at the time, till it was stopped.

Did it make any mark?—Yes, all through his breeches and stockings and into his knee.

Did you see the wound?—Yes.

What sort of a wound was it?—It was almost an inch long where the knife went in; it was a broadish topped knife, but not very sharp.

How deep was it?—I don't know exactly; but by the look of the wound, as far as I recollect, it was half an inch in, or better.

Do you know Hilliard and Penny?—Yes.

Did you ever see any thing happen between them?—No; only the time that Penny reported him.

What was that?—Gambling, shaking dice.

But what was it he reported him for?—When he came up to dinner, Hilliard asked what he did it for; and Penny said, it was his duty to do it; and said he would do it again if he was seen gambling. Then Hilliard jumped off his seat and knocked him down; some of the men heaved him up; and then he knocked at the trap for Mr. Pike to come up.

Was it a violent blow Hillyard gave Penny?—He hit him on the head, but there was not much of a mark that I could see: he knocked him down flat upon his back in the kitchen.

Did he appear stunned with the blow?—Yes.

R. Gibbs.

(28 June.)

What has been Mr. Bridle's conduct to the prisoners since you have been in the gaol?—Mr. Bridle has behaved very well to every one; those that conduct themselves in a proper manner.

Did you ever hear the prisoners complain of him?—No, I never heard any complaints before this job broke out.

Cross-examined by Mr. Hunt.—You are not quite well of your cold yet?—No.

Have you been put to work in the drains with that cold upon you?—Yes; for this week, or better.

Had you good warm clothing when you went down in the drains?—The same as I have on now.

Did not some one wish you to go down without a shirt on?—Yes, Mr. Bunter did; he persuaded me to pull off my stockings, and I did; and then he asked me to pull off my shirt, and I told him I should not make it dirty.

He knew you had that bad cold upon you at the time?—Yes; I have had it ever since he has been here, almost.

Have you been through the drains with Mr. Underwood, since you were examined here?—Yes.

Were the bottoms of the drains in the same state that you described them to be in?—Yes; I found out since that several places have no pavement at the bottoms, when I was down with Mr. Underwood.

Were there any places, when you were with Mr. Underwood, that the stones lay up and down?—Yes.

Did you point that out to Mr. Underwood?—Yes; I told him several places were very bad, and wanted repairing.

Did you find any places where the water stood up?—Yes; in the factory-yard it lay, I dare say, twenty feet up.

Any where else?—No; it was not so bad any where else, without it was in our time-yard; it lay very flat there.

Have you been employed stopping up the drains since?—Yes.

You are stopping up the drains, without doing any thing to the bottoms where they are out of order?—Yes.

And you told Mr. Underwood, perhaps, what state you found them in when you cleaned them out?—Yes, I did.

Did any of the magistrates know of your stopping up the drains?—The magistrates came round while we were stopping up the drains in the misdemeanor-yard.

Have you reason to believe the drains leak in some places, and are not water-tight?—Yes; in some places the walls are not of substance enough to keep the water in them.

And you are stopping up the drains without being ordered to do any thing to prevent these leakages?—Yes; we have had no orders to do any thing.

You say you never heard any one complain of Mr. Bridle; do you mean unless they were punished?—Yes; and then they never complained only amongst themselves.

Zebedee Beauchamp and Gardner had a bit of a scuffle I believe?—No; they were sitting side by side.

Did Beauchamp, in joke or otherwise, try to trip the other's feet?—No; they were talking very quietly, and he turned round and struck the knife into his knee.

Did he do this without any provocation at all?—I don't think he had any provocation at all; I never saw any; I never heard him give the man a mis-word.

But did Gardner strike the knife into him for nothing?—When he is set up his temper, and can't have his own way in every thing, he is a very sulky bad sort of young fellow.

Then he did this for nothing?—I never heard him give him an angry word; I was standing nearer to him than I am to you.

Then did you see him him stick it into the man's knee without any provocation whatever?—Yes; into his left knee.

It was a round-topped knife?—Not a sharp-topped one; rather round.

Might he not have done that without intending to injure him?—That I can't tell. He struck the knife at him; and the blood flowed out directly.

And he had a blister put upon his head for that?—No; that was not the time; It was just after Thomas Gardner came in, that he did that.

The blister was put upon him another time?—Yes; I heard so; I did not see it.

Last summer you were without clean stockings for a considerable time?—Yes.

How often, between May and Christmas last year, had you your stockings washed at the wash-house?—All summer, till Christmas, the stockings were very scarce; we washed them ourselves.

During all that time were they ever brought round on a Sunday, as they are now?—Not during that time, as they had been before they were scarce.

Then during that time you washed them yourselves, and went without while they were drying?—Yes.

Do

R. Gibbs.

(28 June.)

Do you recollect my speaking to you about the holes in your stockings last summer, when you were working in my ward?—Yes.

Examined by Mr. White.—What work were you employed in at the time Mr. Hunt spoke to you about the holes in your stockings?—About the drains; making the passage wider going into Mr. Hunt's.

Was that clean or dirty work?—The same as all the mason's work; it was a very nasty job.

Although there was no clean stockings last summer, was there no supply for the men?—Yes; there was a supply for the men to work.

How did it happen, then, that you had not clean stockings?—I don't know.

Cross-examined by the Commissioners.—Was the factory brisk at work all last summer?—Yes.

Do you mean that it was there that there was a supply for the men to work?—There was no men to knit stockings.

[Adjourned at 20 minutes past 1 P. M. until 2½ P. M.

The Commissioners re-assembled at that time.

John Valentine called in; and Sworn.

J. Valentine.

Are you assistant surgeon to this gaol;—I am in partnership with Mr. Bryer, the surgeon of the gaol.

Have you occasionally attended at the prison for Mr. Bryer?—Frequently.

Examined by Mr. White.—What has been the state of the prison and prisoners, as to cleanliness?—The persons of the prisoners I have generally observed to be clean.

As to the prison?—Very much so indeed.

What has been Mr. Bridle's conduct since you have visited the prison?—Mr. Bridle has always shown himself ready to accommodate me when I have required any thing for the sick, as to their comforts; and has always shown attention when I have requested nurses, or any thing of that kind.

Do you remember a prisoner named Gardner?—Yes, I do.

Did you attend him?—I was once called to him.

Where was he then?—In a cell.

For what purpose did you attend him?—He complained of sickness to Pike, who requested me to visit him.

Did you attend in consequence?—I went to see him.

Did you make any inquiry of him as to his complaint?—I did.

State what you did, and the result?—I made those general inquiries which we always do when called to a sick person.

What was the result of those inquiries?—I considered him an impostor.

Did you send him any medicines?—No.

What was your reason for not sending him medicines?—Because I did not consider him to require them.

Cross-examined by Mr. Hunt.—You asked him the general questions, what were they?—I asked him whether he had any pain in his head.

Then when any person sends for you that is ill, you always ask if they have pain in the head?—No, not always; I asked him that.

What did you ask him?—I then examined his tongue; and inquired whether he had any sickness at the stomach: he said he was sick; his tongue was clean, his pulse regular, and he had, in my opinion, the general appearance of health.

And you left him, I suppose?—And then I left him.

And thought no more of him?—I made inquiries the next time I came, and was informed that he had made no more complaints.

You did not examine him the next time you came?—No, I did not.

When you came into the gaol, I believe Pike told you there was a sulky man shamming ill, and did not choose to work, and desired you to see him?—I recollect no such expression.

Nothing of the sort?—No, I do not.

Then you discovered he was an impostor, without any thing being suggested to you upon the subject?—There may have been some suggestion, although not what was mentioned before; I do not recollect any particular expressions.

Did you go into the cell, or did all that passed take place through the grated door?—I cannot now say whether the gate was unlocked or not.

You did, or did not order a blister for him?—No, I did not.

You did not think that was necessary?—Not when I saw him.

How long have you been practising with Mr. Bryer in this country?—Two years next September.

J. Valentine.
(28 June.)

Do you attend any parishes?—Yes.

What is the number of sick out of a population of six hundred?—A great deal depends upon the situation; I can't say correctly.

Do you find any great contrast in the salubrity of different parishes in your neighbourhood?—Yes, I do.

Do you find the high or low situations more healthy?—The high situations.

Do you consider the inhabitants of low situations in this county more subject to epidemic diseases, as compared with the high situations?—I have observed, that people who live near the moors are more subject to intermittent fevers than those who reside on higher grounds.

Examined by the Commissioners.—Should not you consider that situation very unhealthy, in which two-thirds of the population, or nearly so, require medical assistance?—Very much so indeed.

James Harper called in; and Sworn.

J. Harper.

Are you a prisoner here?—Yes.

You are a convict under a sentence of transportation?—I am.

When were you tried?—At Wells quarter sessions, April 1821.

For felony?—Yes.

How long have you been in this prison?—Since trial.

Why have you not been sent off?—I don't know the reason.

Have you been here before?—Yes; I served two years here before.

Examined by Mr. White.—What has been Mr. Bridle's conduct during both times of your imprisonment?—I never received any thing but civility from the gentleman.

What has been his conduct to the other prisoners to your knowledge?—I never saw a man suffer any thing without deserving it, while I was here.

Does Mr. Bridle attend his duty at the chapel?—Sometimes he was absent from the chapel, when business called him I suppose.

How often has he attended his duty in the chapel?—It was very seldom; I saw Mr. Bridle missing from the chapel on Sunday.

Do you know a boy named Wheeler?—Yes.

Did you ever know him reported for doing any thing?—Yes; I had occasion to report him once myself for stealing Mr. Bridle's onions out of his place, two traces (strings) of onions.

What is Wheeler's general conduct?—I was over him in the boys ward, and very often he was saucy to me, and cursed me; I had threatened many times to report him, but never did but that once. I often wanted him to write, but he never would; Mr. Bridle gave us books and pens.

Have you been ill since you have been in the gaol?—The last time I was here I was very ill for six months.

What was Mr. Bridle's conduct to you on that occasion?—I was behaved to very well; while I was ill I had every thing I could wish.

Do you remember a prisoner named Thomas Gardner?—Yes.

And Zebedee Beauchamp?—Yes.

Did ever any circumstances happen between them in your presence?—Yes; Thomas Gardner stuck a knife in Beauchamp's knee, in the time-yard.

What was the consequence of that?—It was a very deep cut.

Was the wound dressed?—Yes; I dressed it myself.

Describe the wound?—It was about three quarters of an inch long; I can't tell the depth of it; it was not well when he went away a fortnight afterwards.

Have you been with Mr. Hunt in his ward?—Yes.

On what occasion was that?—He sent for me.

When?—Soon after I came back from sessions.

Did he give you any thing?—A gentleman, who was with Mr. Hunt, gave me some breakfast.

What did Mr. Hunt send for you for?—Mr. Hunt, when I went in, asked me how I was, and so on; and asked whether I had any wine when I was sick; and I told him I had, and other things that were necessary. Mr. Hunt asked me if ever I was locked up while I was here? I said yes; for striking my fellow prisoner.

Any thing else?—No, not as I recollect.

Did you know Mr. Hunt before you came into the gaol?—No; I don't know that I ever saw him before.

Do you know what reason Mr. Hunt had for asking you these questions?—No, I do not.

Had you made any complaints to Mr. Hunt?—No.

Had you sent him any message that you wished to see him?—No.

Do you recollect any thing else that passed when you were with Mr. Hunt?—No.

Did he say any thing about a man named Gardner?—Yes; he mentioned something about his having his head shaved, and asked if I knew any thing about it: I said no; it was after I left the gaol.

Cross-

J. Harper.

(28 June.)

Cross-examined by Mr. Hunt.—You had an iron on when you came to see me?—Yes.

When was that taken off?—The same morning after I had been to see you; my leg swelled.

I noticed your leg being swelled, and the iron tight on it?—The iron was not tight; but I am subject to a swelled leg, it is a kind of dropsy; and when any thing is on it, it swells very much.

Did not you tell me your leg had been so ever since you had the fever in the gaol?—Yes.

Examined by the Commissioners.—And it was so?—Yes.

Examination of Mr. Hunt resumed.—Do you recollect any thing about body irons?—Yes; I was put in body irons once.

That was not the last time you were here?—No; the time before.

That was for striking a fellow prisoner?—Yes; for taking out the legs of a stool and hitting him with it, and cutting his head open.

What were you here for the first time?—For taking some money from my master and mistress.

The second time you were here, you were appointed to look after the boys?—Yes, after I had been ill; and was to attend the doctor.

You say you dressed Zebedee Beauchamp's wound?—Yes.

Then the doctor did not attend him?—The doctor was not here when it happened, but the next day he came he dressed it.

Were you ever employed by Mr. Bridle to shave men's heads, and put blisters on?—I never saw such a thing done while I was here.

Did they ever put men's hands behind them in handcuffs while you were here?—Yes.

Did they ever chain them hands and legs together with handcuffs and fetters on?—I never saw it.

Did not you tell me that the swelling in your leg was occasioned by a cold you caught after the fever you had here?—Yes; I had a cold after the fever, and I fancied the swelling in my leg was caused by it.

Jacob Pow called in; and Sworn.

J. Pow.

How long have you been in this gaol?—Two years and six months.

Is that all since trial?—Yes.

What were you tried for?—Stealing some silk handkerchiefs.

What was your sentence?—Seven years.

Examined by Mr. White.—What has been your employment since you have been in the gaol?—Carpenter.

Did you know any thing of that business before you came into the gaol?—Yes; my father was a carpenter.

What has been Mr. Bridle's conduct since you have been in the gaol?—He always behaved very well to me since I have been in the gaol; I was locked up two days for talking rather loud at night.

What has been Mr. Bridle's conduct to the other prisoners?—When any of the other prisoners have been before Mr. Bridle, he has forgiven them, or else locked them up.

Have you seen boys in the stocks since you have been here?—Yes.

In what way are they placed in the stocks?—They stand up. In the weaver's shop they can sit down when they are quilting; there is a stool behind them. In the engine shop they are obliged to stand up.

Have you seen them sit down in the stocks?—Yes.

Do they sit on all other occasions except when they have been obliged to stand up?—Yes; when the man that has been spinning has stopped, they have sat down on the coal-box for a minute or two.

Is it attended with punishment or pain being in the stocks?—I can't say; I never heard them say it was.

Is it meant to punish them, or keep them to their work?—I believe it was meant to keep them in the shop after they have been running from one shop to another, or to the washhouse.

Cross-examined by Mr. Hunt.—They are obliged to sit down to quilting, I believe?—Yes.

What do the boys do when they stand in the stocks in the engine-shop?—They join rollers; but when they feed the engine, there is no room for them to sit down; the window is against their back.

Do you mean that there is no room for a coal-box when they are standing joining rollers?—Yes; there is room for the box by the side, but they must move the stocks before they can sit down.

Did you help Collins to paint the gig?—No; I helped to rub off the old paint.

Where was the gig then?—In the dairy, as it used to be in the back yard.

It was put into the yard to dry?—Yes; against the chapel.

What colour was it painted?—Green.

What time was this, last summer?—It was very warm weather.

J. Pay. (28 June.)

Was it just before Collins went?—Yes; I know he had not long to stop.

It was after I came here?—Yes.

Did you help grind the paint for Collins?—Yes.

Do you recollect Collins getting drunk while painting the gig?—Yes; and offered to fight with Gillard. The doctor allowed him beer and gin the same time; and I had two pints of beer the same time.

Where did the beer and gin come from?—The lodge; I don't know where it came from; he drank the gin in Mr. Pike's room.

Did Hodge help you to do any thing about the gig?—I think he did; but I am not sure.

Where did you get the oil from, that you used to mix the paint?—From the shop where we had the other things; the things were sent for by the carrier on the Friday from Yeovil.

Do you recollect what things were sent for?—No; I don't recollect whether it was there at the time, or whether it was sent for.

But as you ground the paint, did you take it from the same place as that you used for the county?—Yes.

Mr. Bridle sent for some pummice stone at the same time, and it came in a brown paper?—I remember Mr. Bridle telling Collins to take care of the pummice stone that was left, and bring it up to his dairy.

Do you remember Collins getting drunk, and rolling about under the gig?—No.

Do you recollect Jane Longman being in the house while you were painting?—Yes; she cleaned the rooms after we had done painting.

Do you remember some boys being sent into gaol for a month, for knocking down apples?—Yes.

They came from Yeovil?—Yes.

They never told you that squire White sent you in?—No.

Were those boys put to school or to work?—To work.

Were they put to work among the other prisoners?—Yes; in the factory, among all the rest.

When they had done work, where were they placed then?—In the misdemeanor yard.

There were a great many men in that yard for felony?—Yes; and some for misdemeanor.

Were these boys placed at night to sleep together, or were they put with different people?—One of them slept between me and Carter; there were three beadsteads side by side, and five of us slept on them.

Is that Carter who was sentenced to death for horse stealing?—Yes.

Re-examined by Mr. White.—Was the gaol in a crowded state at that time?—Yes; a great many slept two together.

Was that the reason this boy was placed to sleep with you?—There were other places convenient, where there were men sleeping singly in bed.

John Hardy called in; and Sworn.

J. Hardy.

Are you a prisoner here?—Yes.

How long have you been so?—Rather better than eight months.

Since trial?—Yes; I was in Taunton gaol before trial.

What sentence had you?—Seven years transportation; but I came off for three years imprisonment.

For what were you tried?—Felony.

Examined by Mr. White.—Could you read or write when you came into the gaol?—No; but I have learned enough to write a letter since I came into the gaol.

How has Mr. Bridle treated you since you came into the gaol?—He has always behaved very well to me since I came here; I never gave him any provocation to ill use me.

How has he treated the other prisoners?—I am sure I don't know; if they behave ill I suppose they are punished as they deserve; if I had behaved bad no doubt I should have been treated equal to them.

Did you ever work outside the gaol?—Yes; that was the first place I went to work to, after my sentence was commuted.

Who were the party at work with you?—There were I suppose fourteen or fifteen of them.

Can you name any of them?—Yes; there was Guard, Brooks and Hilliard; I don't know the names of any of the others.

Did any thing happen at that time?—They put down their tools, and beat their hands; and complained it was very cold.

Did either of them say any thing?—I think Guard said it was so cold he could not do any thing, and wished to see Mr. Bridle; I don't know whether they wanted to put down their tools and do no more work, or whether it was because it was so cold.

Did they work afterwards?—Yes, some of them did; but Mr. Bridle ordered some of them into the lodge; Mr. Bridle asked the other men if they had any thing to say, I told him I had a violent cold, and that my flannel shirts were worn out; and then he ordered me to the lodge and gave Mr. Hobbs orders to make me two; and put me in the kitchen, and not let me work till I had them?—I had the shirts and went to work afterwards.

Did

Did any of the men take off their shoes and shew their stockings?—No; not that I recollect while I was there. *J. Hardy.*

Did any of them shew their naked feet without stockings?—One Page held up his foot, and he had no stockings round his ancle; but I don't know whether there was any in his shoe. There was no stockings at that time to change; I have worn mine a fortnight before they were changed. (28 June.)

Cross-examined by Mr. Hunt.—Was it very cold weather at that time?—Yes, it was so very cold that I could hardly hold my chissel in my hand; I had a piece of leather to keep the iron from my hand.

I believe the men generally complained of the cold?—Yes.

It was no pretence, but it was really very cold?—Yes.

And some of the men asked to see Mr. Bridle?—Yes.

And when he came out do you recollect who first spoke to him?—I thing Guard; and Warren spoke next.

Did Brooks speak to him?—Yes; I think something about beating their hands, it was so cold they could not hold any thing in their hands without beating them.

When Mr. Bridle came out did these men ask Mr. Bridle civilly to let them go into the factory yard?—Yes; I think Gardner or White asked Mr. Bridle to let them go in, or one of the two.

Was there any disposition among the men to rebel?—No.

And by their words or actions?—No; there was no rebelling or quarrelling at all; the men worked very quiet.

No man advised you to put down your tools and not to work at all?—No; I never heard any.

Was it wet and cold under feet at the time?—It was frozen dry.

Any snow?—I don't recollect; if there was, it had freezed dry.

You did not shew your stockings?—No; but several of them held up their feet, and shewed them to Mr. Bridle that they had got no feet to their stockings.

Do you recollect Warren shewing his?—I don't recollect. I saw the stockings torn off at the ancles; I saw their naked legs.

In your hearing, did any of them use any improper or offensive words to the governor or his officers?—I never heard any such thing.

And to cure your cold Mr. Bridle ordered you a couple of flannel shirts?—I complained of a cold, and he ordered me into the ward, and to have two flannel shirts. Hilliard and another put flannel round their legs to keep the cold from spreathing their feet.

But Mr. Bridle put double irons on two or three of them?—Yes; and they were kept on till the magistrates came; I don't know whether they were taken off then or not; Guard I believe kept them on till he went out of the gaol.

His was a short time?—Only a month.

And some of these men continued to work in the double irons?—Yes.

Examined by the Commissioners.—Did Guard say any thing about putting down his tools?—I heard him say, come men, put down your tools, and let us beat our hands a bit, and called me by name; says he, Hardy, put down your tools, and let's beat our hands. I said, my hands are not cold; you can beat your's if you like.

Did you put down your tools?—No.

Peter Auton called in; and Sworn.

How long have you been in this prison?—Since last assizes. *P. Auton.*

Were you tried then?—Yes.

What was your sentence?—Death.

For what?—Housebreaking.

Has that sentence been changed?—Yes; I have four months imprisonment since.

Examined by Mr. White.—Do you know Wheeler?—Yes.

What sort of boy is he?—Very bad indeed in the yard.

What have you seen him do, or heard him say?—Last Saturday, when Mr. Bridle had him out to the lodge; and after he came back he said he wished he could see the devil flying away with him through the sky.

Any thing else?—Yes; yesterday he was making a false key to undo the door.

Did you ever see him take his jacket off for any purpose?—Yes; to fight a boy named Smith; and since that he took it off to fight Jacob Pow.

When was that?—Not a month ago.

Was this at the same time, or different times?—At different times.

Have you seen him do any thing to-day?—Yes; yesterday we told him the doctor was coming; he struck his elbows against the wall, to deceive the doctor; the doctor did not come yesterday; but when he came to-day, I told him what he had done, and he swore and damned me for telling the doctor.

Cross-examined by Mr. Hunt.—Has the county no better breeches for you than those you have on, with a hole on the knee?—It was only broke yesterday.

Did Parr know of Wheeler's stripping to fight him?—Yes; all the men in the yard knew, if they speak the truth.

P. Auton.

(28 June.)

He did not strike either of these boys?—No; but he was very wilful to do it.

What was he making the false keys out of?—A piece of wire. I took particular notice of him, and saw him go from the fire several times to the door, to see if it would undo the door.

What door was this?—The bread-house door; where they keep their victuals.

That's kept locked, is it?—Yes, when the people are out at work; that they may not take it from one another.

Did he open the door?—No.

But you swear he tried to do it?—Yes, and I spoke to him, and told him it was a wrong thing to do it here.

But then did you think it right to do it any where else?—No.

There are a great many housebreakers in that ward?—I don't know. I am one; but I don't know how many there are.

Perhaps some of the old housebreakers taught him to do this?—No; I never saw any attempt to show him.

Who else saw this beside you?—I showed it to Glover.

And Glover saw it too?—Yes.

You say he knocked his elbows against the wall yesterday?—Yes; I saw him knocking his elbows against the pillars in the kitchen; it was to make his pulse beat, to deceive the doctor. I knew it, because he had been at those tricks before; and he has laughed at the doctor after he was gone.

Did he ever get physic of the doctor for that?—He has had physic for illness or somewhat.

Then you think, as he laughed at the doctor, he was a wicked fellow?—Yes; for making the false reports he did.

Did you ever report this to any of the officers?—Yes, to Mr. Pike, this morning.

Did they search him for the false key?—No.

Then they don't believe you?—I should think they believed me, or I should not have been called up here.

When you saw the boy trying to make the false key, did you report it when you saw it?—No; I reported it to-day at dinner time.

Did you have any beer for it?—No, nothing.

Don't you expect to have some beer when you go down?—No; I expect no such thing.

Elizabeth Summers again called; and Sworn.

E. Summers.

Examined by Mr. White.—Were you present when Hannah Sampson was put in the stocks?—Yes.

How long was she in the stocks?—It might be five minutes, not longer.

In what way was she placed in them?—Her feet were not in the holes; they were not confined at all.

During the time you have been here, what has been Mr. Bridle's conduct to you and the other prisoners?—He was always very kind to me, and treated me with the greatest civility. Mrs. Hobbs has often poisoned our minds against Mr. Bridle, and said he said this thing or that, and at the same time Mr. Bridle did not say any such thing.

Have you ever heard the other female prisoners complain of Mr. Bridle?—I have always heard them speak of Mr. Bridle, and say what a good man he was; and say to Mrs. Hobbs, they wished they could see Mr. Bridle oftener than they did.

Cross-examined by Mr. Hunt.—Mr. Bridle stood by, and had your hair cut off?—Mrs. Hobbs made the complaint against us. Mr. Bridle was present at the time.

The reason that Hannah Sampson was not fastened into the stocks, was because the key was lost?—No, it was not; I never heard any thing about the key.

But you should have wished to see Mr. Bridle oftener than you did?—Yes; to make my complaints when I was ill; and I told Mrs. Hobbs I wished I could see Mr. Bridle, to make my complaint for some stockings; and she said it was no use; Mr. Bridle would not let us have any. This was on the Friday, and she went away on the Saturday.

Several times when you were ill you could not get wine, meat, broth and other things that the doctor ordered?—No, I could not; and I had every reason to believe it was Mrs. Hobbs's fault.

And you wished, and would have mentioned it to Mr. Bridle if you had seen him?—Yes.

Edward Thompson called in; and Sworn.

E. Thompson.

Are you a debtor in this gaol?—Yes.

How long have you been here?—Fifteen months.

Examined by Mr. White.—What were you before you came to this prison?—I was formerly a farmer, but lately a farrier.

What was your situation in the army?—Quarter-master of the second battalion, fifty-second, afterwards numbered the ninety-sixth regiment.

Has Mr. Bridle visited your ward since you have been in custody?—Yes; very often.

Examined by the Commissioners.—The Upper Debtors ward?—Yes.

Examination by Mr. White resumed.—How has he conducted himself to the prisoners?—Always very well, with a great deal of humanity, for whatever I saw.

What

What did he do or say on those occasions?—Nothing particular; generally inquired about the prisoners, if there were any fresh ones come; and whether any of the prisoners had any complaints to make in the ward. *E. Thompson.* (28 June.)

Did you ever hear any of the prisoners complain of Mr. Bridle?—Never, till there has been a little talking lately, but not of any consequence, and that was not owing to any ill-treatment they had received themselves, but only owing to reports going about.

Have you been in the habit of attending divine service at the chapel?—Whenever I was not prevented by the gout.

Have you often been prevented?—Yes; from Christmas to March, and the first four months after my coming here in March 1820.

When you have not been so afflicted have you attended your duty at the chapel?—Very often; most days.

When you have been there have you seen Mr. Bridle there?—Yes; I don't mean to say every time I have been there.

What did you mean to say?—I mean, that I have seen him often there; sometimes he has been absent upon business that I know nothing of.

Do you know Edward Sheppard?—Yes.

Is he a blasphemous man?—No, not to say a blasphemous man; I have heard him make use of an expression the same as I have done; he has sometimes said damn it, or something of that kind.

Is he an abandoned man?—I should think not; not to my knowledge.

Have you ever seen any thing in his conduct to induce you to believe that he is either blasphemous or abandoned?—No.

William Phelips, called in; and Sworn.

Where do you live?—At Charlton Horethorn. *W. Phelips.*

Examined by Mr. White.—I believe you are a farmer?—Yes.

Were you at the house of Mr. Shorland the surgeon in this town, in October last?—Yes.

Had you any conversation with Mr. Shorland respecting Mr. Bridle?—Yes.

What did Mr. Shorland say on that occasion?—I asked Mr. Shorland if he and his neighbours now were very neighbourly? he said they were not; I asked him why? he said they should, if it was not for that damned villain Bridle; he said a damned rogue. I asked him what for? and he said he was the cause of Stayner's bringing an action against him. He said he'd get him out of his place, and drive him out of the town; I said I wished him to be quiet and neighbourly; it would be much better if they could; I don't recollect any thing else that passed that day.

Did you see him afterwards?—Yes; the next day, at Taunton.

Did he say then any thing about Mr. Bridle?—Yes; Mr. Shorland had a new whip in his hand, he had just bought it; we had some words about Mr. Bridle; he said he would ride his horse's legs off but what he would get him out of his place.

Did any thing else pass?—No; I don't recollect that it did.

John Jones called in; and Sworn.

Are you an officer in this prison?—An assistant officer; to do any thing that is required of me about the prison. *J. Jones.*

Have you known Mr. Bridle ever since his appointment as gaoler?—Yes.

Have you ever assisted in the removal of prisoners from one place to another?—Yes; repeatedly, to the King's Bench and Fleet prisons.

Have you ever on any occasion heard them utter any complaint against Mr. Bridle?—I never heard the least complaint in my life.

Have you ever heard them speak in terms of praise of him?—Yes, I have; they knew I was in the habit of going to London, and have asked me in what manner they are treated in the King's Bench and Fleet; if they should meet with as good treatment as they had from Mr. Bridle, they should be very well satisfied.

Do you know a prisoner named Gardner?—Yes.

Did you ever know him do any thing to another prisoner?—Yes; I have known him annoy him and interrupt him in his work, a man named Brown; he lifted a shovel, and attempted to strike him.

Your father kept a shop in this town when Mr. Bridle was appointed?—Yes; he had furnished the county with goods for some time before Mr. Bridle came here.

What shop did he keep?—Linen-draper and grocer.

Was your father the only person in the town that supplied the county with grocery goods for the gaol?—Yes, at that time.

Was any alteration made in that practice upon Mr. Bridle's appointment?—Very shortly afterwards there was.

What was that alteration?—Mr. Bridle's opinion that he could get goods for less prices than my father could.

What was done in consequence of that?—My father lost a part of the custom. Mr. Bridle said it was his duty to buy goods at the cheapest rate for the use of the county.

J. Jones.
(28 June.)

Who had the custom then?—Different other shops in the town.
How many shops supplied the prison afterwards?—About five.
What rule was observed?—They served the prison weekly.

Cross-examined by Mr. Hunt.—You don't know that since that Mr. Bridle has purchased half a hundred weight of sugar wholesale at a time of Mr. Say, of Wells?—I knew he bought some somewhere, but where I do not know.

Do you remember any thing of your father's weights being seized?—They were brought before the magistrates, and were found good weights.

But was not there some difference between the Yeovil and Ilchester weights?—It was unknown to me; our weights always corresponded with the Yeovil weights.

How long has William Whittle served the gaol?—I don't know how long he has served it with groceries.

But how long has he served it with any thing; seven or eight years?—It might be as long.

Did you ever hear any thing of William Whittle being flogged through the town at the cart's tail?—Yes.

He is one of the shop people who goes round the gaol with things for sale without weights and scales?—Yes.

Re-examined by Mr. White.—Are there weights and scales kept in the gaol?—Yes; I have seen the goods weighed in the lodge by Mr. Pike, before they have been offered for sale.

Is it publicly known in the gaol that the scales and weights are kept there?—Yes.

Have you ever gone round with the shop, with the weights and scales?—I have gone round with the shop, but never took the weights and scales with me; it is seldom I went round; I have gone round with the man with the butter and cheese and bacon, with scales.

The shop things are brought in ready weighed?—Yes.

Did you ever know any prisoner refused the scales at the lodge?—No.

[Adjourned at 7 P.M. until 9 A.M. To-morrow.

FRIDAY, 29th JUNE 1821. The Commissioners assembled at 9 A.M.

Edward Shepperd called in; and Sworn.

E. Shepperd.
(29 June.)

YOU are a debtor in this gaol?—I am.

How long have you been so?—Seven years 15th March last.

Examined by Mr. White.—Were you in any business before you were brought to this prison?—A bookseller and stationer in Wells.

How long had you been in that business?—Eight or ten years.

Were you in any other employment, not connected with the business of a stationer?—I used to measure land.

Were you or not a distributor of stamps?—I was a sub-distributor of stamps.

When you came to this gaol, how many shop persons attended?—One; a Mrs. Bridge.

How many butchers at that time?—One, and sometimes two.

How many persons with potatoes and other vegetables?—Only one; William Whittle.

Did Mr. Bridle interfere or say any thing on that occasion?—Mr. Bridle sent in people with loads of potatoes who were passing through the town.

Did he do any thing in consequence of only one shop person attending?—He recommended the debtors to send to other shops, to get other shop people in.

Did he do any thing in consequence of so few butchers attending?—He went into the town and sent a butcher down with his meat; and I believe the debtors purchased the whole that he had. I heard that butcher say, afterwards, that the town butchers beat him for coming into the gaol with his meat.

Was he a butcher from the town, or from the country?—The name of Stroud, and he lived at Stoke-under-Ham.

Had he been in the habit of attending the gaol before with meat?—I never saw him before that time.

Did Mr. Bridle say any thing to the debtors respecting the conduct of the gardener and butcher who attended before?—Mr. Bridle said, the gaol door was open at all times of the day for vegetable sellers and butchers to come in when they liked, and recommended the debtors to support an opposition among the sellers.

What has been the practice since, with regard to these different descriptions of persons?—I believe there are now four or five butchers come regularly every week, and many people with potatoes come, occasionally; not every week.

Have you reason to think the prices are lower in consequence of this competition?—I should think the debtors get their provisions cheaper now there are four or five people, than when there was only one.

Do you mean to confine it to the debtors, or to apply it to the other prisoners?—I don't know; I dare say the other prisoners receive the same advantage from it as we do.

Are there weights and scales kept in the gaol?—Two pairs of scales and weights.

Might they be had at any time, on application by the prisoners to the turnkey?—Yes.

Is that generally known among the prisoners?—I believe it is; I never heard any prisoner refused when they applied for them. In the debtors ward, where I am, we have weights and scales of our own.

How

E. Shepperd.
(29 June.)

How are the sick taken care of in this gaol, to your knowledge, by Mr. Bridle?—They have always had any thing comfortable, and have been ordered by the doctor something.

Is Mr. Bridle in the habit of visiting the sick?—Yes.

Did you ever know a prisoner sick in your ward, who was neglected by Mr. Bridle?—No.

How often does he visit your ward?—Before this investigation, I have seen Mr. Bridle in there two or three times a week, when at home; and I have sometimes seen him in twice in a day.

Did you ever hear his conduct complained of?—Never; I have heard the debtors say, after Mr. Bridle has been in and gone out, that they would rather he visited them oftener than he did.

Did you ever know any donation divided among the debtors?—Yes.

Of what description?—Money and coals.

Can you name any particular donation?—About Christmas 1815 there were ten guineas to be divided amongst the debtors; it was 3*s.* 2*d.* and a fraction each: the men debtors took 3*s.* 2*d.* and the remainder was divided amongst the women debtors; they had 3*s.* 6*d.* each.

Was any part of it distributed amongst the debtors in the lower ward?—They had their proportion, 3*s.* 2*d.* for each man in the ward.

To whom was the distribution of that consigned?—To Mr. Goodman.

Was any notice of this taken in the newspaper?—The debtors returned thanks for the donation to the unknown benefactor, and also for a donation of ten tons of coals, given at the same time.

Would you know the paragraph if you were to see it again?—I think I should.

[*Newspaper produced; identified by the witness.*]

From whence did that paragraph originate?—It was sent from the debtors to the printer of the paper; we took that paper in the ward at the same time.

What was the expense attending its insertion?—4*d.* the postage of the letter to Sherborne.

Was that the whole expense attending it?—Yes.

When debtors are sick, are they permitted to see their friends in their bed-rooms?—Yes, they are; and I have known them stay in all the night.

Have you during your long confinement, known an instance of their friends being refused to visit them when sick?—Not in any one instance, to my knowledge.

Were you, before the passing of the late act, in the habit of assisting insolvent debtors to fill up their schedules?—I was.

Did a prisoner named Henry Child, take the benefit of the act?—Yes.

Did you fill up his schedule?—No; he wrote it himself.

Why did you not fill up his schedule?—Because he told me he had a house in Bath, No. 4, Grosvenor-place, worth about 80*l.* a year, and that just before he came into the gaol he went to Mr. Liddiard, the conveyancer at Bath, and assigned it over to a relation of the name of Robert Child, for him to have something after he was discharged out of gaol; I considered it a fraudulent transaction, and would have nothing to do with it.

Was Child in your ward?—He was in our ward about sixteen or seventeen weeks.

During that time did you ever hear him complain of the water of the gaol?—Never; he drank a great deal of water at that time, and tea, and smoked his pipe with it.

Do you act as clerk to the governor?—I have occasionally assisted Mr. Bridle in his office.

Have you ever attended on a Sunday?—Sometimes.

On what occasions have you attended on a Sunday?—When Mr. Bridle has been called on to make special reports or other very urgent business; never otherwise, on the usual routine business of the office.

Can you give an idea of the times you have attended in the office during divine service?—I should think not more than twice in the year during the time of divine service.

Can you recollect any instances where the governor has not been present in the office during divine service on Sunday?—I don't recollect more than one.

And that was on his return from Wells assizes last year?—The 20th August, I think.

Did you ever hear Mr. Bridle the governor speak improperly to, or treat any prisoner harshly?—Never in my life.

Did you ever hear any prisoner complain of his conduct?—Never; I have always heard the debtors speak in the highest praise of Mr. Bridle. Since this present investigation has been on, I have heard people, perhaps a few, speak rather disrespectful; but I have not even heard them complain of cruelty.

Did you know Mr. Bridle before you came to the gaol?—I knew Mr. Bridle, but was not particularly acquainted with him; I had frequently seen him.

Did you before or since you have been in gaol ever know him drunk?—I never knew him drunk in my life.

Did you ever know him at all affected by liquor?—Not in the least.

Is he a temperate man and regular in his habits, or otherwise?—What I have ever seen or known of him is particularly so.

E. Shepperd.

(29 June.)

Did you ever know him admonish Hobbs the taskmaster respecting the clothing of the prisoners?—I have heard him speak to Mr. Hobbs on the impropriety of his suffering the prisoners to be so ragged; and said it was a shame to see them about the gaol.

Did you ever know Mr. Bridle report him to the magistrates?—Hobbs himself told me that Mr. Bridle had reported him to the magistrates.

Can you refer to the Magistrates Journal in which that is recorded?—Yes.

[Magistrates Journal, 5th August 1820. Occurrence-book, 24th July 1820.]

Is the Occurrence-book always open to the inspection of the visiting magistrates when they attend?—It is always on the table in the office.

Are you in the habit of preparing a report for the magistrates?—Every fourteen days we make a report of all prisoners received and all discharged.

From whence do you prepare that report?—From the Occurrence-book.

If Mr. Bridle be absent, are memorandums of occurrences made in that absence?—Yes, there are.

By whom?—The taskmaster.

If he be absent a short time, do you make memorandums of transactions that happen?—Yes, if he is absent any part of the day; that is, if Mr. Bridle be about in any part of the gaol and I am in the office, I make memorandums of any thing that may happen there.

Has it ever happened that he has made minutes of his own in the Occurrence-book before he has seen your memorandums?—It may so happen that he may frequently do that, because I never give him mine till I am about to leave the office.

Is there any list of prisoners to be discharged hung up in the office?—At the commencement of every month a list of all prisoners to be discharged in that month is made and exhibited in the office. The taskmaster has at all times free access to it.

Has it ever happened that part or all of the day's occurrences have been entered before the discharges of any prisoners have been recorded?—It may so happen; I can't say that it has or has not.

In looking over the Occurrence-book have you ever discovered any errors?—Yes; an omission of prisoners received not entered, and prisoners discharged not entered. I then made a minute in the book in pencil to point it out to the person who made the entry in the book, whether it be Mr. Hobbs or Mr. Bridle, and they correct it.

Have those omissions been intentional or inadvertent?—I suppose inadvertent, because corrected afterwards.

Have those errors been corrected as soon as they have been discovered?—Instantly.

Can you point out in the Occurrence-book any particular instances?—[*Witness refers to the entry of Ann Dunman's discharge, 24th October* 1820, *Occurrence-book.*]

Relate what you know of that circumstance?—Her name was on the expiration-list.

[*A paper handed to the witness.*]

Is that what you call the expiration-list that hangs up in the office?—Yes.

Is the name of Ann Dunman on the list?—It is.

When was that list prepared?—Before the 1st October 1820.

Where was it placed?—It was exhibited in the office behind a rail put for the purpose, where it is always exhibited.

Have the governor, taskmaster, and other officers of the gaol, access to that list?—Yes, they have.

Do you know whether Ann Dunman was discharged or not on October 24, 1820?—I do not know whether she was discharged on that day or not. When I came into the office, as I generally do in the morning, and look at the expiration-list, to see what prisoners are to be discharged that morning, I take it for granted that they are discharged, and make an entry of their discharge in the Gaol Register, opposite to their names and sentences. I do not go to the taskmaster, to ask whether they have been discharged.

What is the book you have in your hand?—The General Register.

What is the heading?—Prisoners committed for hard labour and time to his Majesty's gaol and house of correction at Ilchester, in the county of Somerset.

Name:	When and how discharged:
N° 496. Ann Dunman.	By expiration of sentence, October 24, 1820.

By whom were these entries made in the Register?—By me.

When were they made?—The entry of the discharge, I should apprehend, was made the same day; but I am not quite certain. I was in the office that day, because it was directly after Mr. Bridle's return from the sessions at Taunton.

Are the entries in that book made by you principally?—I believe most of them, for the last four or five years.

Whose immediate duty is it to see that the prisoners are discharged when their sentences expire?—The taskmaster's. He has the paying all funded shares; and I always understood from him that he made up the accounts, and discharged the prisoners.

Is that the only register of the discharge of prisoners kept in this gaol?—It is the only register of the discharge of all classes of prisoners; but in the Felons Journal all prisoners that are sent for trial in the county are entered, and their discharge is entered there also.

Examined by the Commissioners.—Who, in point of fact, does discharge the prisoners; the governor or taskmaster?—The taskmaster.

Examination

Examination by Mr. White resumed.—You do not actually see that a prisoner is discharged when you make the entry?—No. *E. Shepperd.*

Do you wait for any report from the taskmaster, that the prisoners are actually discharged before you make the entry?—No. (29 June.)

Did Hobbs, on the occasion of Ann Dunman's discharge, refer to the expiration list, to your knowledge at any time?—About the beginning of November, Mr. Hobbs requested me in future to make two expiration lists instead of one; he wished to keep one at his own house; I believe ever after he had one at his own office; he said he had so many funded accounts to make up, he must begin earlier in the month, and to prevent mistakes.

Do you, of your own knowledge, know when Ann Dunman was actually discharged?—No; I did not know but that she was discharged on the 24th, till lately.

Will you look at the Occurrence Book, 24th October 1820; do you know when the entry respecting Ann Dunman was made?—No, I do not.

Had you ever any conversation with the governor or the taskmaster respecting Ann Dunman's discharge?—No.

In what way are memorandums made by the taskmaster in the absence of the governor?—On sheets of paper.

Are those memorandums transcribed into the Occurrence Book; and when?—On the governor's return they are copied into the Occurrence Book.

Have you been in the habit of examining the entries in the Occurrence Book, with the the memorandum made previously?—Very often, almost always for the last two or three years.

Have you been always careful that they have been accurately transcribed?—Mr. Hobbs has entered them in the book, and I have read from the sheets.

Did you ever hear the debtors complain of the garden in the gaol?—Not till very lately.

Have you ever heard them make any observations upon it?—I have heard some debtors say they liked to see the garden there; we sometimes got herbs and cabbages from the garden; and sometimes they put their vegetables in the earth to keep fresh.

In what way have they had cabbages from thence?—Mr. Bridle has come in and told the constable to cut them up and give them to the debtors.

Do you remember a prisoner named Franks?—Yes.

Did you ever hear any conversation between Mr. Bridle and Mr. Hobbs on the subject of Franks's discharge?—I heard Mr. Hobbs tell Mr. Bridle when he came home from removing convicts, that Franks was discharged the day before the expiration of his sentence. Mr. Bridle told him he had been guilty of very great neglect in suffering the man to be at large before his sentence was expired; and that if Franks committed any crime he must be answerable for it.

Was Mr. Bridle absent at the time he was discharged?—He was.

Was he absent on duty?—He was removing convicts.

Cross-examined by Mr. Hunt.—So whether a man is discharged or not, you enter it in the Register Book?—I take it for granted he is discharged.

When do you enter it?—The day that the discharge should take place; if I am in the office that day.

Do you remember the time when Franks was discharged?—I was not present when he was discharged.

Did you enter it the same day?—I was in the office next day when Mr. Bridle came home; I mean when Mr. Bridle came home the next day, he sent for me, and I went to him in the office.

What time of the day might that be?—About one or two o'clock.

You had not been in the office before on that day?—No.

Did you enter it when you did get there?—Mr. Hobbs was in the office speaking to Mr. Bridle respecting the discharge of Franks; Mr. Bridle desired me to give him the General Register, I did; and Mr. Bridle wrote the way in which he was discharged, in the book himself.

You did not hear what Mr. Bridle said to Mr. and Mrs. Hobbs in the parlour?—No.

Is it usual when a magistrate discharges a prisoner the day before his time has expired, that the gaoler then records the fact in the journal; but when a prisoner is detained three or four days after his time, no record is made of it by the gaoler?—I never knew a prisoner discharged before his time, except in the case of Franks, nor did I ever hear of a prisoner being kept after the expiration of the sentence, until lately I heard of the case of Ann Dunman.

Did you ever know the taskmaster or any of the officers discharge a prisoner when the gaoler was at home, without his being first made acquainted with it?—I am never present at the discharge of prisoners, nor do I know when they are discharged.

E. Shepperd.
(29 June.)

And yet you are the person who enters in the journal the time they are discharged?—Yes, I do enter it; Mr. Hobbs used to come to me the night before, and say, we have so many prisoners to discharge to-morrow, and take a copy from the expiration list; to prepare their funded accounts; to pay them when they were discharged.

Then you have been at the office in the morning, or when you have been coming from the debtors ward, you have never seen prisoners staying at the lodge to see Mr. Bridle before Pike opened the door to discharge them?—I never did in my life.

Have you not been regularly Mr. Bridle's clerk for the last three or four years?—I have done most of the writing in the office during that period.

Had you any reason for saying occasionally?—No, none at all.

Was there any reason for your withholding that you were a distributor of stamps?—No; I considered that was included in saying a bookseller and stationer.

Were you sub-distributor for Mr. Lax of Wells?—Yes, I was.

There was some little deficiency?—Yes; there was a defalcation of one thousand and seventy-two pounds.

That is what you are here for?—I was brought here in that case.

You said you never heard any of the debtors complain of Mr. Bridle till lately?—Yes.

And you have no reason to complain yourself?—I have not.

And never have complained?—No.

Always very well satisfied with your treatment since you have been here?—Yes; it is as well as I could expect it in a gaol; it is not so comfortable as I should be in my own house.

But Mr. Bridle and the officers have never given you any reasons to complain of them?—No; I never have had any reason to complain of Mr. Bridle, or any officer that has been here since I have.

And you have never told any person, or expressed yourself dissatisfied with their conduct?—No; I don't recollect any thing of the sort.

And that is the truth?—I do not recollect having had any cause of complaint, or told any person that I had any; they were always civil to me.

And to all the rest of the debtors?—As far as ever came to my knowledge.

And all the rest that you have stated here is as true as that?—It is.

Is that your hand-writing?—Yes.

Did Pitcher answer any of these letters?—I have received three letters from Pitcher, but I do not know that he answered that letter.

How long ago did you shew the letters to Mr. Bridle that you had in confidence from Pitcher?—I can't say how many years ago, five or six years ago.

Then possibly you wrote this letter for the purpose of getting Pitcher's answer to shew to Mr. Bridle?—I did not.

Then how could you swear now that you never had any complaints against the governor, or any of the officers?—There is no cause of complaint stated in that letter, I presume.

[*Letter put in.*]

What do you mean by this passage?—

> " I am sorry to find Waistcot has so misled you as to represent the usage or con-
> " duct of the governor, turnkeys or magistrates better than usual; I assure you,
> " Pitcher, if there are any difference, it is for the worst. I leave you to judge
> " of our situation."

I apprehend that related to visitors in the conversation room, staying in after the hours. There was a man of the name of Lockyer, from North Petherton, who was here at the time Pitcher was; Pitcher was going to get the rules rescinded respecting visitors and the beer; I apprehend that answer related to it.

Then you mean by that, that the governor had misconducted himself relative to the rules about the visitors and the beer?—Pitcher was going to try to get visitors to be admitted at any hour of the day; when I wrote that letter, it was to tell Pitcher that our situation in the ward was not better than when he was with us, but worse.

Examined by the Commissioners.—By whom was that situation made worse?—*Not answered.*

Why did you caution him in writing to you that you did not wish his sentiments to reach Mr. Bridle's ears?—I had no objection to its reaching Mr. Bridle's ears.

Have the turnkeys any power to alter the visiting hours?—No.

What then could the turnkeys have to do with the conversation room?—The letter related to things generally.

What part of your situation was he to judge of?—He knew the ward, and could draw his own inference.

What

What inference could he draw?—Relating to the conversation room and the beer.

E. Shepperd.

(29 June.)

Then what had the turnkeys to do with that?—I meant that they were not more civil than when he was here.

Had they been uncivil?—Not to me.

Upon your oath do you mean to say that the passage before mentioned relates to the conversation room?—No; I will not swear that it does or does not. If it does not, I don't know what it does relate to.

Is that letter your writing?—Yes.

[February 7th, 1815. *Not put in.*]

Were you not writing to Pitcher to urge him on by letter to make your complaints, the complaints of the debtors in Ilchester gaol known to Parliament, to obtain redress?—I received a letter from Pitcher, which letter I answered; and a correspondence passed between us; I believe, two or three letters. Pitcher opened the correspondence with me, and there was something said about presenting a petition to Parliament, but I don't recollect that I ever urged or attempted to force him to do it.

You had not, while Pitcher was here, any talk with him on the subject?—No; he corresponded with Waistcot, and did not write to me till Waistcot had gone out of gaol.

You do not, perhaps, recollect any thing about Waistcot being ill?—Yes, I do.

Do you recollect his wife and children coming from town by the coach to see him?—Yes, I do.

Well, what do you recollect?—I recollect their coming from London by the coach to see him; I think it was a very wet day; I think they went up into the room where he was; I think Mrs. Waistcot and the children went up; the children were very wet, and one of them was very filthy; I believe the turnkey had the child up to his house, and the turnkey's wife cleaned and dried it, and put it on some clean clothes.

Will you swear that Waistcot's wife and children went to see him, and were not refused?—I will not undertake to swear that when they came from London they went up, but I think they did; and I know that several times afterwards they were admitted to the ward, and up to his room with him.

Was not Waistcot very seriously ill and expected to die?—He was ill a long time.

Then you won't swear that the day when they first came down they were refused?—I won't swear that they were not refused; I thought and do think they were admitted; I never knew a person refused admittance.

You never had any cause of complaining, and never complained of the conduct of the governor since you have been here?—To the best of my knowledge I never have.

And you never have spoken or written of his misconduct?—I do not recollect having done so; I am not aware of it at this moment.

[Adjourned at a quarter past 1 P. M. until a quarter past 2 P. M.

The Commissioners re-assembled at that time.

Ann Pike called in; and Sworn.

Ann Pike.

You are wife to Mr. Pike, turnkey at the lodge?—I am.

How long has your husband been an officer here?—Nearly four years.

And you have been here with him during that time?—

Examined by Mr. White.—Who is in the practice of letting in persons in the gaol in the evening after gaol hours?—Different persons have sometimes; Davis, or George Bridle, and sometimes myself.

Who sits up latest at the lodge for that purpose?—My husband.

Has Mr. Bridle been in the habit of staying out late since you have been at the lodge?—No, he has not.

What is the latest time you have known him out within the last twelve months?—Quarter to twelve o'clock.

How often has that been the case?—Once since I have been at the lodge.

How long have you been at the lodge?—Eighteen months; we were at the debtor's apartments before.

What are the orders you have received with regard to the admission of prisoners into Mr. Bridle's house?—No one is allowed to go in the house when Mr. Bridle was at home, but they have gone in in his absence.

If prisoners are employed repairing or painting about the house, what are the orders on those occasions?—An officer always to attend.

Did you ever hear Mr. Bridle speak to the matron respecting a female prisoner?—Yes; by the name of Jane Longman.

What

Ann Pike.
(29 June.)

What did he say?—Mr. Bridle passed through the passage, and saw Longman in the kitchen, and called to Mrs. Hobbs to know what she was doing there; and told her to take her to the laundry, for she should be answerable if anything came of it through her being in the house.

How did Mr. Bridle conduct himself towards the prisoners, so far as it has come to your knowledge?—Always very civil and humane.

Did you ever know the prisoners complain of him?—No, never.

Are there weights and scales kept in the gaol?—There are.

What is done with those weights and scales?—When it is my shop week I take them round, and weigh all the things that come in, or weigh them at the lodge; and when I have done with them on Saturday evening, I take them to Mrs. Davis, the other turnkey's wife.

What do you mean by the expression, "your shop week?"—I take the books, at eight o'clock each morning, to the different wards in the prison, to see what is wanted to send to the shop for, and then again the same at one o'clock.

How long do you continue this?—A week together.

When that week is out, what do you do?—Take the book to Mrs. Davis, the other turnkey's wife.

How many persons are employed in this way?—Two.

What is the practice when you take the books round?—To receive orders on the book of what they want.

And then you go to the shops to purchase the articles they want?—Yes.

Did you ever see Mr. Bridle drunk?—No.

Did you ever see him affected with liquor?—I never saw him the worse for liquor since here I have been.

What are you called when you go for these articles for the prisoners?—Messenger.

Do you remember, in the case of Treble, Mr. Robertson, the apothecary, being sent for?—I do.

After he had seen Treble, did you hear him say anything respecting him?—I did.

What did he say?—He met Mr. Bridle coming into the lodge; Mr. Bridle asked him how the man was; he said not much the matter; he only wants a good damned rattling dose. It was not the first time I have heard him say it.

Do you remember a Mrs. Casey or Clasey?—I remember a woman something of that name.

Do you remember seeing her at the lodge with her little boy?—I have seen her a number of times at the lodge.

I am speaking of the time when her son was with her?—A young man about nineteen.

Was she ever at the lodge with any other son?—Yes, a boy about seven years old.

Had you ever any eggs of her when that boy was with her?—I have had eggs of her at different times; potatoes and cabbage I have bought.

Did you ever have any eggs of her or the boy without paying for them?—I had four, and she was to make me up a dozen when she called again.

Did you then pay her for those four eggs?—I did not; when she came she was to bring me a dozen or half; I never saw her again till the day she came to Mr. Hunt.

When do you mean she came to Mr. Hunt?—When she came to visit Mr. Hunt; I do not know how long it is ago. I told them to let me know when she came out to the lodge, as I owed her for four eggs, but she had no eggs with her then.

Had you ever any eggs before of her or the boy without paying for them?—Never in my life.

Were those four eggs given to you as a present?—No, they were not.

Are you positive you stated you would pay for them when she made up the dozen?—I did.

Did the boy say to his mother, give Mrs. Pike the eggs, mother, or anything like that?—When I asked her if she had any eggs, she told me she had four, she believed; and she said, "they are not mine, they are my little boy's." She asked him then if I should have the eggs; and when she came again I was to give her a shilling for the dozen, or sixpence for the half dozen. The boy said, let Mrs. Pike have them, when I asked them to spare them to me.

Do you positively swear they were neither given nor received as a present?—They were not.

Do you positively swear nothing of the kind was said?—Nothing of the kind was mentioned.

Was any one present on that occasion?—Charles Marshall.

Had the woman been at Mr. Hunt's ward at the time?—She had.

Do you recollect Mr. Hunt's daughter coming to see him?—I do.

What passed at the lodge on that occasion in your presence?—When Mr. Hunt's daughter came in, she asked to see Mr. Hunt. My husband then asked her her name and place of abode. There was a female servant with Mr. Hunt's daughter at the time; she was not allowed to go to Mr. Hunt's ward on account of not being a relation. I then offered

Mr. Hunt's

Ann Pike.
(29 June.)

Mr. Hunt's daughter to take the child for her to Mr. Hunt's ward. She then thanked me, and told me she was capable of taking the child there herself. I then took the servant to my own room to remain during her mistress's stay; and I was going to Mr. Hunt's room to inform his daughter that a man was waiting at the door with a coach. I then met Mr. Hunt's daughter in the back-yard, and offered to take the child; she thanked me, and said she was capable of taking it herself.

Did you treat the mistress, the servant, or the child with any unkindness or incivility?—No, I did not; if I did, it was unknown to me.

Have you got the books you usually take round to the wards?—They are in the lodge.

[Produced one for the felons, one for the debtors, and one for the females.]

Are the entries transcribed into the book produced?—Yes, by the messenger for the week.
And is that book handed over with the scales to the succeeding messenger?—Yes.

Cross-examined by Mr. Hunt.—Are the weights and scales often cleaned?—When I have them they are cleaned once a week, or twice a week.

Both weights and scales?—Yes.

How long have you had those weights in use?—They were in the gaol before I came.

And you are sure they are cleaned once a week?—Yes; I never let them go out of the lodge till they are cleaned.

How long is it since they were tried with other weights?—I don't think they have since I came to the lodge; they may.

And all the things you bring in you have weighed at the lodge?—Yes; I never brought in a thing for the prisoners without seeing it weighed; and if it has not been weight it is returned.

Do you go or send to the shop for the things?—Sometimes I go, and sometimes I send.

When you go yourself, you see the things weighed up?—No, I do not; it would take too long to do it.

You said you take these scales?—Yes; if they are wanted by any one to weigh a quarter of a pound of bacon or cheese, they are handier than the large ones.

Then you did not mean that you took the weights and scales round to let the prisoners see that what you bring them is weight?—No; I weigh them myself at the lodge.

Did you ever, when you brought the things, bring these weights and scales my way?—No, I did not; because I weighed all shop things before I brought them to you.

Therefore you are pretty clear that I never saw those weights and scales till I saw them here?—I don't know; I never brought them to you.

When and where did you ever take these weights and scales round to the wards?—I never took them round but when they were required.

But were they ever required?—No; I never took them all round; I have taken them to the debtors ward.

Who at the debtors ward required you to bring them?—Many debtors; I have stood and weighed their things when I was at the debtors apartments.

Don't you think that scouring those weights every week makes them lighter?—I should suppose not, as they are only cleaned with a little whitening and flannel.

The people who come in in the morning do not carry weights and scales with them, they bring their things ready weighed?—Yes; but sometimes we weigh them at the lodge, two or three times a week; that is done by an officer.

What officer does that?—It has been done by Davis, Pike, George Bridle, and sometimes Charles Marshall.

You have seen Davis, when these people have brought their things in, weigh them twice a week before they have been taken round to the prisoners?—I never saw him weigh them, but I have heard him say that he has done it.

Then perhaps you have seen Pike weigh it?—No, I never saw any one do it, but I have heard them say they did it; that is not part of my duty.

Do you believe that these officers could do this twice a week without your seeing it once?—Yes; I might be in another part of the prison; and I have my family to attend to at half-past six or seven in the morning. It is not my duty to attend to that.

But you swear that you have heard Davis and Pike say that they weigh these shop things in twice a week?—I have.

And you heard them say that before they were examined before the Commissioners?—I don't know that it was before they were examined before the Commissioners, but I have heard them say so.

But if it had been done, it has always been when you have been out of the way?—I never saw it.

You don't ever sit up after your husband has been gone to bed?—Yes, I have sat up in company with Mrs. Bridle, and sat up twice when my husband was ill, to let out Mrs. Bridle's company, when Mr. Bridle was absent.

Ann Pike.
(29 June.)

But upon no occasion have you known Mr. Bridle out later than a quarter before twelve, and that but once?—I never knew Mr. Bridle out so late as that but once; he might be out when I have been in bed.

Perhaps you often go to bed before your husband?—Sometimes.

Perhaps you never waited up for Mr. Bridle when he has come from London by the coach by night?—No, I never did.

You don't mean to say that your husband has not waited up?—No; sometimes Mr. Bridle has gone with convicts, and returned with convicts late at night.

You don't mean to say that your husband has not waited up till three or four in the morning for Mr. Bridle, and while the boy cleaned his horse?—I don't know what he has done; I only speak to what I have done myself.

Did an officer always attend upon Sarah Lawrence, or Sarah Hewit, when they were in the house?—I know nothing about that; I never saw Sarah Lawrence in the house in my life; Sarah Hewit of course I have, because she was a servant in his house.

You know Sarah Lawrence was a convict?—Yes.

And that she was turned out of the house for being with child?—Yes.

What did you understand Mr. Bridle meant when he said to Mrs. Hobbs, that she should be answerable for what happened to Jane Longman?—Mr. Bridle had frequently denied females from going into the house; and I have many times assisted in the house, because females of that description were not allowed to be there when Mr. Bridle was at home.

Do you mean that Mr. Bridle has frequently ordered them out?—I don't remember Mr. Bridle seeing but one, and that was Jane Longman, when he was at home. In the absence of Mr. Bridle, I have seen two in the passage; I have even spoken to Mr. Hobbs, thinking it was highly improper.

Thinking it was so highly improper, and knowing Mr. Bridle's orders were so strict, you communicated it to Mr. Bridle as soon as he came home?—No, I did not; but I communicated it to Mr. Hobbs in Mr. Bridle's absence, which I thought was sufficient.

But did not Mr. Hobbs and you see them in the house?—Mr. and Mrs. Hobbs must have known it; they must be the people that took them there.

Therefore thinking it very improper, you told Hobbs who knew it before, and never told Mr. Bridle?—No, because I took Mr. Hobbs to be the person that superintended.

Do you mean to say, that when I have been dining in Mr. Bridle's house and Mr. Kinnear, a woman prisoner has not been cleaning the stairs?—No, not to my knowledge; as soon as I have helped at the dinner, I left the house, and did not know what happened afterwards.

You have heard of Gardner's having a blister on his head?—Yes; but I did not think there was any inhumanity in that, that was no concern of mine, it was none of my business. I always heard Mr. Bridle speak to his prisoners in a civil kind of a manner.

I believe the criminals that are executed are taken up your stairs?—Yes; and are let down through the trap door.

Perhaps you were never asked your opinion of humanity before?—No; it is not part of my business to attend sick persons.

You have often heard Robertson say what he did respecting Treble before?—I did once to a time man.

What answer did Mr. Bridle make to Robertson?—I only recollect his saying, good night, doctor.

Mr. Bridle did not reprove him for swearing before you and the officers?—I don't recollect that any thing else passed.

Did you tell the same story to the magistrates, when you were before them with Mrs. Clasey?—Yes; Charles Marshall heard what I said to the woman; and John Jones heard me say, I owed her for four eggs.

How came you not to tell the magistrates, that Charles Marshall could confirm your statement?—I did say so.

When this woman came to visit me three months afterwards, how came you not to pay her for the eggs?—When she went past the window with Mrs. Davis to Mr. Hunt's, I then called my daughter, if I was not there on her return, to remind me that I owed her for four eggs, which was four-pence, and I found Mrs. Davis in the lodge. I then inquired where the woman was that went to Mr. Hunt's, as I told her I owed her for four eggs, and I meant to have paid her. Mrs. Davis told me I could do it, as she would be here on Thursday again.

But how came you not to think of it, and pay her when she first came in and spoke to you before she set her name down in the book to come to me?—It did not strike me till she passed the window.

How came Mrs. Davis to pass with her?—She was fetched from her own house, to take the woman to your room.

How came Mrs. Davis to be sent for on the occasion?—It has generally been the custom for the matron to come to the lodge; if she has not been ready, then an officer has taken females to her.

What

Ann Pike. (29 June.)

What was the reason you did not pay the woman for the eggs at the time you had them?—When I had those eggs, she was to bring me more to make up a dozen or half a dozen when she came again to Mr. Hunt's. I have owed her eighteen-pence before for vegetables, and I thought it was no more harm to owe her for the eggs, than it was for other things.

Do you remember a couple of quart bottles of cyder being sent for me to the lodge several months ago?—I do, and there it is now, but what you have had of it.

What is the reason I never had it?—I believe, because the surgeon never made an order for you in the book to have cyder, only beer.

Mr. Kinnear lodged in the house with Mr. Bridle's family for a considerable time, I believe?—He was, but I can't say how long.

While he was in the house, did you know of any visitor being refused coming in to see him?—No; I never knew any visitors coming to him but Mrs. Kinnear, and doctor Robertson.

While he was in the house, if any person of any class or description had come to see Mr. Kinnear, should you have refused them admittance?—I don't know what I should have done; no one ever came but Mrs. Kinnear, doctor Robertson, or an attorney, who went to the conversation room.

Had you any orders upon the subject?—No.

What time did Mrs. Kinnear come in in the morning?—I have seen her in the front court at a few minutes before nine.

Mr. Kinnear used to join all Mr. Bridle's parties in the house while he was here?—I can't say.

When my daughter came in, her child was in the nurse's arms?—It was.

And when your husband refused to let the nurse take the child to my room, you offered to take the child?—Yes.

And the child cried, and refused to go to a stranger?—No, it did not; I don't remember its crying.

Then if Pike says that the child cried, and refused to go to you, does he say what is true or not?—The child refused to come to me, and clung round its mamma's neck, but I don't remember that it cried.

That, I believe, was the reason that the mother carried the child down?—I suppose it was; Mrs. M'Gee told me, she was capable of taking the child down herself.

Did you often attend the chapel last summer?—No.

Never, perhaps?—No, not since I have been here, this chapel.

Re-examined by Mr. White.—Mrs. Kinnear was Mr. Kinnear's wife, I believe?—Yes.

Was Mr. Robertson any relation to Mr. Kinnear?—A nephew, I believe.

Examined by the Commissioners.—Do you keep any shop in Ilchester?—No.

Does Davis?—No.

How long ago was it when Mrs. Clasey let you have the four eggs?—Sometime in March.

How long after was it when she came again?—It might be three months.

When you owed her any thing before, when did you pay her, when she came again to the lodge with things?—Yes.

Did she, when she came the second time, bring you either two eggs to make up half a dozen, or eight eggs to make up the dozen?—No, she had no eggs, nor any thing of the sort with her.

Was she in the habit of bringing things for sale before to the gaol?—Yes.

How long was it before you had the four eggs, that she had been at the gaol?—She came once or twice a week.

How long was she in the lodge at the time she came to Mr. Hunt's?—I can't say.

Charles Marshall called in; and Sworn.

C. Marshall.

Are you an officer in the prison?—Yes; an assistant turnkey.

How long have you been so?—Twelve months.

Did you, before that, hold any office in the gaol?—I used to go to assizes and sessions to assist with the prisoners.

Examined by Mr. White.—Did you ever superintend the prisoners at work?—Yes.

Was Thomas Gardner one of them?—Yes.

Did you hear him make use of any expression while he was at work?—Yes, I did.

What was that expression?—He damned Mr. Bridle and all the magistrates to hell.

What made him make use of that expression?—Sitting down and would not work.

Had any thing been said to him?—I asked him why he did not get up to work, and he asked what business it was of mine; I told him I would report it to Mr. Bridle; "Damn you and Mr. Bridle too."

Did he say that, or you?—He said it.

Did he say any thing further?—Yes.

State what he said?—He told me, if he was out of prison, and catched me out any where by myself, he'd soon let me know what he would do with me.

C. Marshall.

(29 June.)

Do you remember his uncle coming to the gaol?—Yes; his uncle came from Bristol to see his brother.

Whose brother?—Tom Gardner's brother James, and after seeing James Gardner, he went back and told Tom Gardner to behave himself better, and after he was gone by, Tom Gardner said, he hoped the son of a bitch would break his neck before he got home.

Did you ever, on any other occasion, know Gardner refuse to work?—Yes, I did.

What did he do then?—He sat down under the wall two hours at a time; then he would get up and work for about half an hour, and then he'd sit down again; then I would ask him why he did not get up to work again; "so I will" says he, "bye and bye;" then he'd get up and work for half an hour, and so on.

Did he say any thing?—No; not that time.

Did you ever hear Mr. Bridle speak to him?—Yes.

What?—I have heard him ask Gardner what was the matter with him, and the reason he would not work; then he would mumble out some word that you could not understand in his sauciness.

Any thing else pass between them?—Not in my hearing.

Had you any conversation with Gardner afterwards?—No.

Did you ever hear him speak to Mr. Bridle afterwards?—No.

Did you know a prisoner named Hilliard?—Yes.

Did Pike ever speak to him in your presence?—Yes.

What did Pike say to him?—He asked him why he did not ask to be forgiven; and he said, he'd see them all damned first.

Who was he speaking of?—He mentioned of Mr. Bridle and the magistrates, both.

Do you know a prisoner named Charles Hill?—Yes.

Have you had any conversation with him?—Yes; he asked me why I would not be a radical; I told him no, that I would not; I told him that I was a king's man, and Hill said, if I would be a radical, I could go down to Mr. Hunt's; I could have plenty to eat and drink, and something to put in my pocket, if I could say any thing against Mr. Bridle.

What has been Mr. Bridle's conduct to the prisoners since you have known the gaol?—Very well; I never heard him abusing any man, nor no ill usage.

Were you ever present when Mrs. Clasey was at the lodge with Mrs. Pike?—Yes.

Was there any transaction between them respecting eggs?—Mrs. Pike had four eggs of Mrs. Clasey, and when she came again, she was to bring the number to make half a dozen or a dozen, and then she'd pay her for them.

Cross-examined by Mr. Hunt.—What did Mr. Pike say about it at the time?—I did not see Mr. Pike at the time.

Did not Mr. Pike shew the woman the rules?—He shewed them after the eggs were gone.

What did Pike say about the rules?—I was standing outside; I was had in to go round with this woman with the potatoes.

Where did you go with her?—To every ward.

Do you remember whether I bought any potatoes of the woman that day?—Mr. Pike went into your ward with her; I went as far as the door, and Mr. Pike came to relieve me.

What did you do then?—I went out and looked after the men again.

Did Mrs. Pike call you in to hear this bargain about the eggs?—I came in; I went up in the town after Mr. Pike relieved me, after two pounds of salt for some of the felons, and when I returned and delivered the salt at the lodge, this woman was there, and Mrs. Pike had the four eggs of the woman, and I returned.

You staid in the lodge to hear this dealing?—It was not two minutes.

Did Mrs. Pike ask her for the eggs, or did she offer them?—Mrs. Pike asked her if she had any eggs.

What did she say?—That she had four.

Had she them in a basket?—The boy had them in a basket.

Did the boy say any thing?—I never heard the boy say any thing.

Did she say any thing to the boy?—I did not hear her.

Did not she say it was the boy's eggs?—I don't recollect whether she did say so or not.

Which was it Mrs. Pike proposed she should make it up when she came again, half a dozen or a dozen; did she say how much they were to be?—One shilling a dozen.

And you stopped in the lodge all this time?—Yes; and I went out then to the people at work, and I did not hear any more that passed.

Did the woman come out directly after you?—No; I suppose she stopped five or ten minutes after me.

You did not go back to see what was the matter?—No.

I thought you said you saw Pike take down the rules?—The rules were taken down just as I went out of the door; Pike took down the rules and went into the little conversation room.

All

C. Marshall.

(29 June.)

All the time this deal was going on about the eggs, Pike said nothing?—I did not hear him say a word.

But as soon as the deal was over, Pike took down the rules?—I understood the woman had been abusing Pike before.

Was Pike angry with her?—He seemed to be angry when he took down the rules of the prison to read to her.

And you know nothing more of it than that?—No, I do not.

At the time Tom Gardner damned Mr. Bridle, he damned you and the magistrates, and altogether?—Yes, he damned altogether.

Who did you report it to?—I reported it to nobody; I told him if he did not mind his work I would report him.

What do you receive a week for looking after these men?—Two shillings a day; nothing else.

No beer?—No.

And is it not your business to report the men if they do not behave well?—It was at the time Mr. Bridle was not at home.

Was Pike at home?—No, they were off with convicts.

Who was at home above you?—Mr. Davis and Mr. Hobbs.

Then you could have reported it to Mr. Hobbs?—Mr. Hobbs was in the gaol; I could not leave the men outside at work.

But you could leave them to come in and hear Mrs. Pike bargaining for the eggs?—Mr. Davis was outside then.

You never reported him at all, notwithstanding what he said?—No, I did not.

So old Hill tried to persuade you to be a radical?—He did.

Who did you report that to?—To Mr. Pike; and if Mr. Pike had been at home I should have reported the other to him, or the governor if he had been at home.

You were a bit of a radical at the last election; you voted for Doctor Lushington?—Yes.

What did Pike do when you reported to him what Hill had done?—Nothing.

Then you did not think it was any great offence?—I did not state it as an offence to him.

Examined by the Commissioners.—When the governor is absent, who is commander of the gaol?—The taskmaster.

Was not Mr. Hobbs taskmaster?—Yes.

What was the reason you could not report Gardner's swearing to Mr. Hobbs?—Because I could not leave the men.

What did Mr. Pike say before he took down the rules?—He said he would read to the woman the rules of the gaol.

What reason did he give for reading the rules?—Some abuse she had been giving him; but I could not understand what it was.

Did you see the woman come out?—Yes, five or ten minutes afterwards.

Did she say any thing to you?—No.

Did she seem to be in a hurry?—No, she seemed to go a steady pace along the wall.

You are sure Mr. Pike read them to the woman?—Yes.

How came you to say you did not see Mr. Pike at the time?—I saw Mr. Pike when I went out of the door.

Where was Mr. Pike when the bargaining for the eggs took place?—In his own house, I saw him. I said I did not hear him say any thing at the time.

Thomas Davis again called; and Sworn.

T. Davis.

Examined by Mr. White.—How often are the prisoners linen changed?—When I first came to the gaol, it was changed every Sunday morning.

How long did that continue?—About eight or nine months.

What was done then?—The shirts got very short then; we had two of a number when I first came.

Were those two shirts of one number for one man?—Yes.

What happened after the eight or nine months?—Shirts got short, and we were obliged to wash once or twice a week.

How long did the scarcity of shirts continue?—About six months.

What was the occasion of the scarcity?—There was no dowlas to make shirts with I suppose.

Is all the linen the prisoners use manufactured in the gaol?—Yes, since I have been here.

Is the rest of their clothing made in the gaol?—Yes.

By whose neglect was the scarcity occasioned?—I think by Mr. Hobbs, the late taskmaster.

Who succeeded him in his office?—I did.

Was there any dowlas in store when you succeeded to the office?—Not any.

Were there looms?—Yes.

Weavers?—Yes.

Yarn?—Yes.

T. Davis.
(29 June.)

How long after you had the office was it before there was a supply of dowlas?—About six weeks before there was a change; Mr. Bridle came down and said, Mr. Davis you must persevere, as far as you can, to get the men clothed; he said he had no idea they were so badly off.

When did this take place?—About two or three days after Mr. Hobbs went.

Did you ever hear Mr. Bridle find fault with Mr. Hobbs for his neglect?—Yes, I have heard him tell him he must have the men better clothed, and that the men were not to be taken out till they were better clothed.

Had you ever the superintendence of the workshop?—Yes, when I first came.

Did Mr. Bridle ever come down to you?—Yes, he came down when I was there.

How often?—Once or twice a week, when I first came down.

When you first came, were you there all day?—Yes, I had nothing else to do; I was appointed an assistant to Mr. Hobbs, when I came here first.

On those occasions, did he inspect the work people?—Yes, he went round to every shop, and in every shop.

Did you ever make an affidavit in the court of King's Bench, respecting Mr. Hunt?—Yes.

Did you know a prisoner named Hilliard?—Yes.

Did you ever remove his handcuffs?—Yes, two or three times.

Were his wrists swollen or sore?—No, I never saw them.

How long was it after he was released before he went to work?—I am not sure whether he went the same day, but I am sure he went the next morning.

What has been Mr. Bridle's conduct to the prisoners since you have been here?—I believe very good; I never heard any complaint of it.

When you acted as taskmaster, who paid the prisoners their funded shares, and discharged them?—I did.

Did you receive any general directions from Mr. Bridle on that occasion?—I always went to Mr. Bridle in the evening, and told him so and so was going out; he gave me the money, and told me to get it changed, to be ready for them next morning.

What time in the morning did you discharge them?—Generally about eight o'clock, and some before; lately, since I had to do with them, at seven, or half-past seven or eight; never later than half-past eight.

Do you recollect superintending the men that were working stones outside?—Yes.

What did they do on that occasion?—A man named Guard laid down his tools, and told all the rest not to work.

Did you distinctly hear him say that?—Yes, I was quite close to him.

Have you any doubt about it?—No; I heard it quite plain.

Did you call out Mr. Bridle?—I knocked; George Bridle came out, and I went in and spoke to Mr. Bridle.

What did you tell Mr. Bridle, what had taken place?—I told Mr. Bridle that Guard had laid down his tools, and had told all the rest to lay down their tools; and they all did within three, and they did not work.

Cross-examined by Mr. Hunt.—At this time the men were very bad off for stockings?—Yes; they were very bad off.

And when Mr. Bridle came out, they asked him to let them go into the factory; it was cold?—I don't recollect hearing them say so.

What did they say?—As near as I can recollect, they said it was too cold to work there, and that the wind was very cold.

Did they say that they could not hold their chissels, their hands were so cold?—No; I don't recollect any thing about that.

Did they shew, any of them, their naked legs?—No; I did not see that.

Were any of them saucy or abusive to Mr. Bridle?—I don't recollect.

But if they were you would recollect it; do you recollect that they were so?—No; I don't recollect.

Mr. Bridle sent some into the lodge, did they come out double ironed?—Yes; that is all I know about it.

How long have you known prisoners stay before they were discharged?—I think the latest was twelve o'clock in the day.

Did Mr. Bridle authorize you to discharge the men without his seeing them?—I used to ask Mr. Bridle if he wished to see them, and if he did not I discharged them directly.

Before that, I believe, no prisoners were discharged, when he was at home, without he did see them?—I don't know that.

How did you learn when they were to be discharged?—By a list that Mr. Hobbs left there.

Had you access at all times, when you were taskmaster, to Mr. Bridle's office to the books?—No.

After Hilliard was released, he went to work in the same irons he had on here?—Yes.

And continued to work in them?—Yes.

Could

Could he, when he had those irons, put one foot upon a chair?—I should think not.
When you went round with the shop, you never weighed the goods at the lodge?—No.
And you never knew it done?—No.
When you were taskmaster, did you set the men to work on what you pleased, or did you consult Mr. Bridle first?—I consulted Mr. Bridle what the men were to do.

T. Davis.
(29 June.)

You let him know what things were wanted, and he sent for them?—I used to write him a note what things were wanted, and he sent for them.
Did you ever see any large square rugs hung up in the factory yard?—No.
Did you never help to pack up things?—I packed up twice for Shepton and Taunton county clothes, and I helped Mr. Hobbs about twice.

How do you know the scarcity arose through the neglect of Mr. Hobbs?—I thought so; because there were plenty of things when I took to them; Mr. Bridle came down and set four looms at work to make dowlas, that made six at work at dowlas.

But if Mr. Bridle had gone down before and had set the looms to work, and given orders to Mr. Hobbs the same as he did to you, would he have refused?—I should suppose not; but Mr. Bridle might think I was a young hand, and that Mr. Hobbs did not want looking after.
If you, or any other officer, should become lazy and neglect your duty, whose duty is it to look after you?—Mr. Bridle's, I should suppose.

Perhaps you know Mr. Bridle has five hundred pounds a-year, and forty pounds a-year for superintending the workmen?—I have heard so.

What time did Mr. Bridle complain of the ragged state of the men, and desired you not to let them go out to work till they were better clothed?—It was about three months before Hobbs went away?—It was cold weather.

Re-examined by Mr. White.—Who was it that was discharged at twelve o'clock?—There was more than one; I have seen two or three when I have been outside; they came by grumbling at being kept so late.
What was the cause of their being kept so late?—I can't say; I have seen Mr. Hobbs go out for change two or three times, but I can't tell any other cause.
Were you provided with another list after that you had from Hobbs?—No.
What were the things that were packed up for Shepton and Taunton?—County slops.

Who were they directed to?—Mr. Pittman, governor of the house of correction at Shepton, and Mr. Gane, governor of the house of correction at Taunton.

Examined by the Commissioners.—Although Hilliard could not, in your judgment, put his foot upon a chair when he had his fetters on, do you think he could, by sitting on the bedstead, bring his hands, when handcuffed, down to his fetters?—I should think he might.

[Adjourned at 7 P.M. until 11 A.M. to-morrow.

SATURDAY, 30th JUNE 1821.

(30 June.)

THE clerk of the peace produced the original grant, dated 5th January 1812, between George Tuson, of Northover, in the county of Somerset, gentleman, of the one part; and Edward Coles, of Taunton, in the said county, esquire, deputy clerk of the peace of the said county, of the other part; granting unto the said Edward Coles, his heirs, &c. in trust, for the inhabitants of the county of Somerset, a watercourse or drain of the length of eighty-eight feet and a half or thereabouts, and of the width of six feet or thereabouts, commencing at the western of the waterway leading from the said George Tuson's mill at Northover aforesaid, as described in a plan in the margin of the said grant annexed, upon payment of the sum of ten pounds annually, covenant from said George Tuson, upon payment of the rent, for peaceable enjoyment for ever, &c. &c.

Also, an account of monies paid for repairs and improvements of the gaol.

Also, a statement of the executions that had taken place in Ilchester gaol.

The Commissioners assembled at the gaol, at 11 A.M.

Richard Pike called again; and Sworn.

R. Pike.

Examined by Mr. White.—Have you known prisoners employed in the dwelling house of Mr. Bridle here?—I have.
Is an officer present or absent on those occasions?—It is Mr. Bridle's order that an officer shall always be present.
In Mr. Bridle's absence, has there been company in this house?—There has.
Was the turnkey at the lodge kept up later on those occasions than when Mr. Bridle was at home?—He was.

R. Pike.
(30 June.)

When Mr. Bridle was at home, was you in the habit of sitting up late to let him in?—Twice.

Were those the only times you have sat up late for him since you have been at the lodge?—The only time within the last six or eight months.

Did you ever complain to Hobbs, in Mr. Bridle's absence, respecting sitting up late?—I have.

What has Hobbs done in consequence?—He has taken the key and sat up himself, and I went to bed; Hobbs was the taskmaster in command of the gaol at the time.

Was Hobbs's wife sister to Mrs. Bridle?—She was.

Were Hobbs and his wife of Mrs. Bridle's parties in Mr. Bridle's absence?—Frequently.

Did you ever know the governor come home when there were parties?—I have.

What was done upon Mr. Bridle's coming home on those occasions?—They have ran away, and would not be seen by Mr. Bridle.

Who had the ordering and providing changes of linen and stockings?—The taskmaster.

Did you ever know of Mr. Bridle's complaining of Hobbs neglecting his duties?—I have.

In what way did he neglect his duties?—By repeatedly going to the town, and neglecting the duty of the gaol.

Was any plan devised to shew when he was absent from his duty?—There was latterly.

What was that plan, and by whom was it devised?—There was a telegraph put up in the lodge, with four numbers to it, by order of Mr. Bridle, and when any officer went out of the gaol he was to drop his number; the taskmaster was number one; the turnkey at the front lodge, number two; the turnkey at the debtors lodge, number three; and the turnkey who lived in the town, number four. When one officer was out, and another wanted to go out, he could not go out till the return of the one that was out, and when he returned he put up his number.

Examined by the Commissioners.—Where was this telegraph put up?—In the inside of the lodge.

Had this expedient the proper effect upon Hobbs?—It had not.

What was done in consequence?—He was reported to the magistrates.

In what way was the meat ordered by the surgeon?—By tickets made out by the taskmaster and signed by the governor.

Are these the kind of tickets made out?—They are.

Have you compared any of them with any butcher's bill?—Yes, with Culliford's bill.

What was the consequence of the comparison?—That more meat was sent than ordered, in consequence of the joint being larger than the exact quantity ordered.

Is there any ticket there respecting Treble?—There is.

Is it dated?—It is 7th February 1821.

Is it Matthew Hobbs's writing?—It is.

["February 7th 1821. Meat ordered by surgeon for John Pendergrass, Thomas
" Harris, and Edmund Treble."
" Six pounds, Wm. Bridle." " *Matthew Hobbs.*"]

[Extract. Butcher's bill. " County, debtor to James Culliford,
" 1821, February 7th. Beef 14 lbs. at 6*d.* per lb. - 7*s.*]"

Is that paper Hobbs's hand-writing?—Yes.

[February 19th 1821. " Meat ordered by surgeon for Edmund Treble, John
" Pendergrass, Thomas Harris, and Sarah Hewit, also Elizabeth Summers, who is
" to have meat until further orders, with a pint of beer a day.
" Ten pounds, Wm. Bridle." " *Matthew Hobbs.*"]

[Extract from the same butcher's bill,
" 1821, February 20th. Beef 12 lbs. at 6*d.* per lb. - 6*s.*]"

Who paid that bill?—I did.

Of whom did you receive the money?—Mr. Bridle.

Do you remember Mr. Robertson attending Treble in his last illness?—I do.

Were you present when he quitted the prison?—I was.

Did he say any thing as to Treble's illness?—He did.

What did he say?—He met Mr. Bridle at the lodge; Mr. Bridle was coming into the gaol and Mr. Robertson was going out; Mr. Bridle asked him how the old man was, he said there was not much the matter, he only wanted a damned good rattling dose.

When Mr. Bridle has arrived from a journey, what has been his practice with regard to the gaol?—He generally goes round the gaol the day after.

Did you ever hear Mr. Bridle complain of irregularities of the gaol, on going round, which he has discovered, on his inspection in going round, in places where you have not accompanied him?—Yes.

To whom did he make these complaints?—To me a good many times.

Could

Could he have pointed out these irregularities if he had not seen them?—No; I have gone to the wards and inquired, and the men have told me Mr. Bridle had been there finding fault. *R. Pike.* (30 June.)

Did you ever hear Mr. Bridle complain to the taskmaster of prisoners being kept late in the lodge in the morning of their discharge?—I have.

What directions has he given on those occasions?—The taskmaster has made excuse that he has been to the town for change, and that he could not get it, to settle with the men before they were discharged; Mr. Bridle has ordered him upon that to get change over night.

What has been Mr. Bridle's conduct to the prisoners since you have been turnkey?—Kind and humane; I never saw any thing else.

Had you ever any shoes made in the factory?—I never had; I had a pair of shoes cut out in the factory and made in the ward.

From whence did you have the leather?—The leather was bought from William Whittle, in the town, and brought to the gaol by John Jones.

Will you swear it was not the property of the county?—I will, most positively.

Did you use, or cause to be used, any of the leather belonging to the county?—Never in my life.

Cross-examined by Mr. Hunt.—Who did Mr. Bridle give the order to, that an officer should attend prisoners working in the house?—I have frequently heard him give it to the taskmaster.

You have very frequently known that order disobeyed?—It has been disobeyed.

But have you not frequently known that order disobeyed?—I can't say that; I have heard the order given, but I could not say whether the officer was with them or not.

Do you mean to say, that you never knew a prisoner working in this house without an officer being present?—Yes; a female prisoner.

Jane Longman?—Yes; and the woman before that was a servant.

Did you report it?—No; I had no charge of the women, and had nothing to do with it.

Have you not seen Hodge coming into the house many times without an officer?—I have; but not to be working in the house; I have seen him bring in shavings, and many other things.

Have you not seen Boone very often working in the house?—I have seen Boone in the house.

Was he not a prisoner?—He was.

Acting as a servant, cleaning boots and shoes?—He has, after he had done his work, in the yard at the back of his house. He was constable of the time yard.

How came you to say you never saw a prisoner working in the house?—I said it was Mr. Bridle's orders that they should not work in the house without an officer.

But do you mean to say that Mr. Bridle did not know that Boone was working there without an officer?—I don't say that he did not.

You have only sat up very late for Mr. Bridle but twice within the last six months?—No, I have not.

But you had sat up late for him previous to that time?—Yes, I had.

When you go out to the town or elsewhere about your business in the gaol, you leave your wife in trust at the lodge?—Yes, when an officer cannot be spared.

But suppose your wife should let any one out improperly in your absence, who would be answerable for it?—I should, to be sure.

When Mr. Bridle left home, I believe, Mrs. Bridle could have the key, and could go where she liked about the prison?—That I cannot say.

Then, upon your oath, you never saw Mrs. Bridle, in Mr. Bridle's absence, have the key, and go about the prison?—I have.

Did Mr. Bridle ever order you not to do what Mrs. Bridle desired you?—He never gave me any orders upon the subject.

Do you mean to say that the telegraph was not made after Hobbs was reported by Mr. Bridle?—It was put up before Treganza went away.

What do you mean by saying, that the telegraph was put up latterly to detect Hobbs going out of the gaol?—I have been here four years, and the telegraph was not put up till more than two years after I came; and that I call latterly.

And you are sure it was put up to prevent Hobbs from going out?—That was the complaint. There was an order from Mr. Bridle, after our business was done in the night, and every thing locked up, that an officer should go out into the town, if he had any thing to do, taking care to be in at ten o'clock. Mr. Hobbs had generally done his business first in the night, and he would go out in defiance of the other officers. Then the telegraph was put up, that every officer, when he went out, should drop his number.

R. Pike.
(30 June.)

I thought you said just now, that the telegraph was put up because Hobbs went out and neglected his business?—So he did, in the day time also.

At that time, he neglected his duty in the gaol in the day time also?—He did, ever since I have been in the gaol.

And that was known to Mr. Bridle as well as you?—Of course it must.

But he never reported him, I believe, until last August?—That I can't say.

But I thought you said he had reported him?—You asked me whether he reported him before last August, and I answered that I can't say.

When did Mr. Bridle report him?—Some time last year; I can't say what month it was.

Did you ever pay Culliford's bill before last quarter?—I did, once before.

When was that?—I suppose two years ago; I dare say it is. I never saw any thing of Culliford's bill but those two times, when I paid them; I don't recollect the amount of the other bill.

You are sure Robertson made use of those words?—Yes; and it is not the first time I have heard him use them.

"A good damned rattling dose"?—Yes; not "a good damned rattling dose," "a damned good rattling dose."

You don't recollect, perhaps, what Mr. Bridle said in answer?—He said, "Good night, doctor." That was all I heard.

He did not reprove him for swearing in the presence of you, and the other officers and your wife?—He said nothing more that I recollect.

I believe, when Mr. Bridle was at home, you did not discharge prisoners without his seeing them?—Sometimes.

That was the practice some time back?—Yes, ever since I have been here.

Then do you mean, that it was the practice to discharge them in the morning without Mr. Bridle knowing it, when he was at home?—No; Mr. Bridle gave orders to the taskmaster over night.

Do you mean that Mr. Bridle always gave orders over night?—I don't know; I have heard him frequently give orders. I have heard Mr. Bridle say to Mr Hobbs, "There are "so many prisoners to be discharged to-morrow morning. You discharge them; I do not "want to see them."

You say Mr. Bridle always behaved kind and humane to the prisoners, and you never saw any thing else by him?—Yes; I did not.

I believe it was by his orders that you had Gardner's head shaved and a blister put on?—That, I conceive, has nothing to do with the general business of the gaol.

Did you do that yourself, without any orders, or did you do it by his orders?—It was done by Mr. Bridle's orders.

That is what you call being kind and humane to the prisoners?—That, I don't conceive, has any thing to do with the general business of the gaol. There were at one time two hundred and sixty-six prisoners in the gaol; and of course there must be some rough characters in the gaol, and some must be corrected for what they do.

You have been in the army, I believe?—I have.

You have been in the habit of tying men up to the halberts, perhaps?—No, I never was.

Do you mean to say you have never used the cat-o'nine-tails?—I don't mean to say I never have; but never in the army.

I believe the hangman, George Farr, generally flogs the men and boys in the prison?—Yes.

But you have, on some occasions, supplied his place?—Never but once.

Was that a boy, named Carey?—It was.

Do you know whether that boy was then flogged by a sentence of the court or not?—I think not.

Do you recollect any thing of a boy having his ear nearly pulled off?—No, I don't.

Perhaps you were never accused by a woman of having pulled her child's ear nearly off?—Never, to my recollection.

You had a pair of shoes made by the prisoners?—Yes.

Have you ever had any thing else done by the prisoners in that way?—I had a boot mended.

That was done by a boy named Street?—I don't know; Marsh was the master of it; I believe it was done by Street.

You did not let the boy out of his cell, after he was locked up, to do it?—I let the boy down one night into the kitchen, with the other shoemakers; he had not been up two minutes.

Perhaps you are able to say, that the boy did not steal that leather out of the shop, to do it?—I furnished the leather; he did not do it, to my knowledge.

Did you buy leather twice then?—Yes, I bought leather a good many times since I have been here.

And you purchased the leather that this boot was mended with?—I did, as far as my knowledge goes.

Do you recollect Miss Gray coming to see me, when she was refused to be allowed to come to my room?—I do.

Do you recollect my son coming with her?—I do.

Did you desire him to leave the prison?—I did, because it was not the time to visit you.

It

It was the time for Miss Gray to visit me, but not my son?—It was; in the debtors conversation room. *R. Pike.* (30 June.)

What order was there to prevent my son and Miss Gray seeing me together?—There was an order that male visitors should visit Mr. Hunt from ten to twelve, in his own apartment; I think that was the order; and the females at the usual visiting hours in the debtors conversation room; but there has been so many orders made that I am not certain. You returned your answer.

Then as you understood it, I could not see Miss Gray and my son together, and you turned my son out?—Yes; there was two separate orders made, one for the males and one for the females. The females were to see Mr. Hunt at one part of the day, and the males at the other.

Having shut my son out, and Miss Gray in, what did you do then?—I went to Mr. Hunt's ward, and informed him, that Miss Gray was at the lodge, wishing to see him.

Did I ask you where I could see her?—I can't say what conversation took place between Mr. Hunt and me.

Try and recollect?—I do not recollect. I know you gave me a piece of paper, and said, there is my answer.

Will you swear I did not ask you where I was to see her, as she was at the lodge waiting to see me?—I must have told Mr. Hunt where the order run to, but I don't recollect whether it was at the lodge or the debtors conversation room.

Perhaps if I was to read you the answer I sent, you may recollect it, or do you recollect it?—I do not.

It was open?—Yes.

"As I am not condemned to be hanged, nor sentenced to be transported, I will not voluntarily go to see any one in the felons and convicts den;" was it any thing ike that?—I think it was to that effect.

Did you carry this to Miss Gray, or to Mr. Bridle?—Mr. Bridle.

Did he order you to come back to me, or did you come back to me to say, that I could see Miss Gray in the debtors conversation room?—I think not.

What did you tell Miss Gray; had Miss Gray been standing at the lodge the whole time?—I think she had; I told her you refused to see her.

That I refused to see her; and you turned her out?—She went out.

Do you recollect a few days afterwards, the visiting magistrates Mr. Moody and Doctor Colston, coming and altering that order?—I do not remember it; I cannot charge my memory their coming at that particular time.

Do you remember any order being afterwards made by the visiting magistrates, that I might see my female friends in the debtors conversation room?—Yes.

Do you know whether I have refused seeing a female in the debtors conversation room?—I cannot say.

Do you know whether I have seen a female there?—No, I don't know that you ever have.

Examined by the Commissioners.—Who was you directed to take the note to?—I understood to Mr. Bridle.

You did not tell Miss Gray the purport of the note?—No.

[Adjourned at a quarter past 2 P.M. until a quarter past 3 P.M.

The Commissioners re-assembled at that time.

Written documents put in by Mr. Bridle, and desired by him to be entered in evidence.

N° 1.—From Charles Hill (a debtor) to Mr. Bridle.

Good Sir,—As you were so kind when I saw you last, to offer your kind assistance when in town, to advise and consult with Mr. Hughes, if he called on you, on my unfortunate situation, I have since wrote to Mr. Hughes on the same, desiring him to avail himself of that opportunity.

I am, good Sir, your truly obedient servant,

March 11, 1819. (Signed) *Charles Hill.*

Mr. Bridle.

N° 2.—From Mr. J. H. Sherrey (a debtor) to Mr. Bridle.

Upper Ward, December 30th, 1818.

Dear Sir,—I am concerned to acquaint you, that Mrs. Sherrey has been obliged to keep her bed since Monday from a severe illness, if it is possible to accommodate me as you did on a former occasion, by permitting my little boy to come into the ward for an hour a day, to eat his dinner, I shall feel myself much obliged, as it will be a great relief in the confusion that prevails in consequence of his mother not being able to look after him.

I am, dear Sir, yours very obediently,

Mr. Bridle. *John H. Sherrey.*

Entries in Magistrates Journal and Occurrence Book; desired by Mr. Bridle at the close of his evidence, to be entered as referred to by him.

Magistrates Journal, June 24th, 1809.—Mary Fuller.

Magistrates Journal, September 19th, 1809.—William Heckett, &c.

Magistrates Journal, December 22d, 1810.—William Brown.

Magistrates Journal, May 15th, 1812.—Thomas Gardner.

Magistrates Journal, October 24th, 1812.—There appearing to be 19*l.* 14*s.* 3*d.* in the charity-box.

Magistrates Journal, April 22d, 1813.—Culliford, and others.

Magistrates Journal, July 8th, 1813.—Jonathan Spencer.

Magistrates Journal, September 30th, 1813.—Thomas Rossiter, Joseph Tilley.

Magistrates Journal, October 26th, 1813.—John Willies.

Magistrates Journal, November 26th, 1813.—Samuel Quick, William Loveless.

Magistrates Journal, November 25th, 1813.—Petition House of Commons, (not signed.)

Magistrates Journal, November 16th, 1814.——— Warden, Elizabeth Smith.

Magistrates Journal, December 12th, 1814.—William Tolfrey

Magistrates Journal, April 20th, 1815.—Elizabeth Smith.

Magistrates Journal, July 6th, 1815.—Hill's petition: seven justices present.

Magistrates Journal, October 12th, 1815.—Joseph Evans.

Magistrates Journal, February 20th, 1816.—Joseph Evans.

Magistrates Journal, February 19th, 1818.—Hill, and other debtors.

Magistrates Journal, November 15th, 1818.—Samuel Barnard, John Dabinett.

Magistrates Journal, March 18th, 1819.—Kobert King.

Magistrates Journal, August 28th, 1819.—Richard Pullen.

Magistrates Journal, May 1st, 1820.—Charles Barry, James Ketch; handcuffs.

Magistrates Journal, May 18th, 1820.—Wheeler.

Magistrates Journal, May 23d, 1820.—Abraham Giles; handcuffs.

Magistrates Journal, July 15th, 1820.—Thomas Gardner.

Magistrates Journal, August 5th, 1820.—Stocks; Bamfield, Wheeler.

Magistrates Journal.—Taskmaster absent, August 5th, 1820.

Magistrates Journal, August 14th, 1820.—Mr. Hunt.

Magistrates Journal, August 24th, 1820.—Mr. Hunt, Mr. Kinnear.

Magistrates Journal, September 13th, 1820.—Withers; stocks.

Magistrates Journal, October 2d, 1820.—Bamfield; stocks.

Magistrates Journal, October 12th, 1820.—Gardner, White; released from clogs.

Magistrates Journal, October 12th, 1820.—John Wheeler.

Magistrates Journal, December 7th, 1820.—Thomas Gardner, James Stone, and others; Hilliar.

Magistrates Journal, February 13th, 1821.—James Hilliard.

Magistrates Journal, March 5th, 1821.—James Hilliard.

Magistrates Journal, March 12th, 1821.—Charles Hill, Miss Churchus.

Magistrates Journal, May 24th, 1821.—Charles Hill.

Occurrence Book, 16th April, 1820.—Unclean state of the gaol.

Occurrence Book, 24th July, 1820.—Taskmaster absent without leave.

No. 3.—Extract from the Dorchester and Sherborne Journal and West of England Advertiser.—Friday December 29th, 1815.

The debtors in Ilchester gaol, return their grateful thanks to an unknown benefactor for a liberal donation of ten guineas; and also to another unknown benefactor, for ten tons of coals, both received through the hands of Mr. Bridle, the governor; also to Mrs. Gye, for a donation of eleven shillings she was so good as to send them.